

# FEDERAL REGISTER

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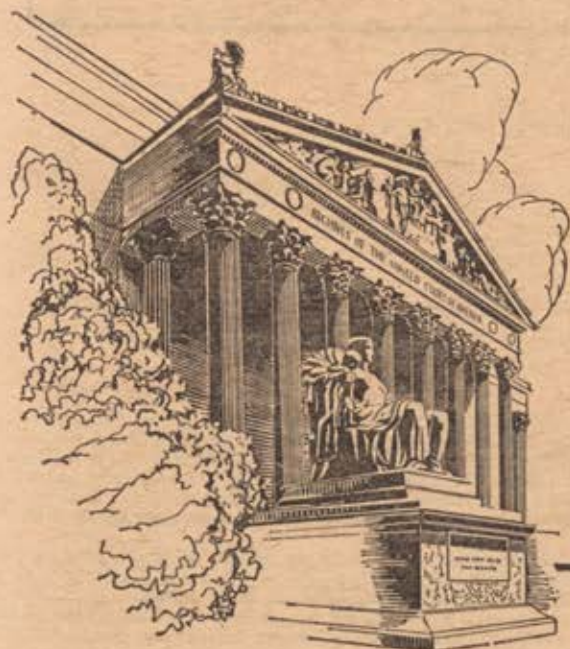
Wednesday, December 1, 1965 • Washington, D.C.

Pages 14835-14881

**Agencies in this issue—**

Agricultural Stabilization and  
Conservation Service  
Agriculture Department  
Census Bureau  
Civil Aeronautics Board  
Consumer and Marketing Service  
Federal Aviation Agency  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Federal Power Commission  
Federal Register Administrative  
Committee  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Interior Department  
Interstate Commerce Commission  
Land Management Bureau  
Narcotics Bureau  
National Bureau of Standards  
Small Business Administration

Detailed list of Contents appears inside.



Volume 78

UNITED STATES  
STATUTES AT LARGE

[88th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1964, the twenty-fourth amendment to the Constitution, and Presidential proclamations. Included is a nu-

merical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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# NATIONAL BUREAU OF STANDARDS

## Notices

NBS radio stations; standard frequency and time broadcasts..... 14867

## SMALL BUSINESS ADMINISTRATION

### Rules and Regulations

Investment companies:  
Equipment leasing concerns.... 14850  
Prohibited uses of funds..... 14850

### Proposed Rule Making

Investment companies..... 14862

## TREASURY DEPARTMENT

See Narcotics Bureau.

# List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

## 7 CFR

15..... 14845  
401 (3 documents)..... 14845, 14846  
403..... 14846  
841..... 14846  
907..... 14847  
911..... 14847  
944..... 14848  
1030..... 14849  
1031..... 14849  
1032..... 14849  
1038..... 14849  
1039..... 14849  
1051..... 14849  
1062..... 14849  
1063..... 14849  
1070..... 14850  
1078..... 14850  
1079..... 14850

### PROPOSED RULES:

815..... 14855  
1068..... 14855

## 9 CFR

201..... 14839

## 12 CFR

### PROPOSED RULES:

545..... 14861

## 13 CFR

107 (2 documents)..... 14850

### PROPOSED RULES:

107..... 14862

## 14 CFR

97..... 14840

## 16 CFR

13 (4 documents)..... 14851, 14852

## 21 CFR

### PROPOSED RULES:

120..... 14857

## 49 CFR

95..... 14853

170..... 14853

### PROPOSED RULES:

71-90..... 14858

# Rules and Regulations

## Title 1—GENERAL PROVISIONS

### Chapter I—Administrative Committee of the Federal Register

#### CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current bound volumes and supplements of the Code of Federal Regulations. The rate for subscription service to all revised volumes and supplements issued as of January 1, 1965, is \$100 domestic, \$30 additional for foreign mailing. The subscription price for revised volumes and supplements issued as of January 1, 1966, will be at the same rate.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

| CFR Unit:                           | Price  |
|-------------------------------------|--------|
| 1-4 (Rev. Jan. 1, 1965) .....       | \$1.75 |
| 3 1938-1943 (Compilation) .....     | 3.00   |
| 1943-1948 (Compilation) .....       | 7.00   |
| 1949-1953 (Compilation) .....       | 7.00   |
| 1954-1958 (Compilation) .....       | 4.00   |
| 1959-1963 (Compilation) .....       | 6.00   |
| 1964 (Supplement) .....             | 1.00   |
| 5 (Rev. Jan. 1, 1964) .....         | 4.75   |
| (Supp. Jan. 1, 1965) .....          | .50    |
| 6 (Rev. Jan. 1, 1965) .....         | 1.00   |
| 7 Parts:                            |        |
| 1-50 (Rev. Jan. 1, 1959) .....      | 4.00   |
| (Supp. Jan. 1, 1965) .....          | 1.00   |
| 51-52 (Rev. Jan. 1, 1959) .....     | 6.25   |
| (Supp. Jan. 1, 1965) .....          | 1.00   |
| 53-209 (Rev. Jan. 1, 1959) .....    | 5.50   |
| (Supp. Jan. 1, 1965) .....          | 1.00   |
| 210-399 (Rev. Jan. 1, 1960) .....   | 4.00   |
| (Supp. Jan. 1, 1965) .....          | .65    |
| 400-899 (Rev. Jan. 1, 1965) .....   | 3.00   |
| 900-944 (Rev. Jan. 1, 1965) .....   | 1.00   |
| 945-980 (Rev. Jan. 1, 1965) .....   | .65    |
| 981-999 (Rev. Jan. 1, 1965) .....   | .55    |
| 1000-1029 (Rev. Jan. 1, 1965) ..... | 1.00   |
| 1030-1059 (Rev. Jan. 1, 1965) ..... | 1.00   |
| 1060-1089 (Rev. Jan. 1, 1965) ..... | 1.00   |
| 1090-1119 (Rev. Jan. 1, 1965) ..... | .70    |
| 1120-1199 (Rev. Jan. 1, 1965) ..... | 1.00   |
| 1200-end (Rev. Jan. 1, 1965) .....  | 2.00   |
| 8 (Rev. Jan. 1, 1965) .....         | .75    |
| 9 (Rev. Jan. 1, 1965) .....         | 1.25   |
| 10-11 (Rev. Jan. 1, 1963) .....     | 4.50   |
| (Supp. Jan. 1, 1965) .....          | .50    |
| 12 (Rev. Jan. 1, 1963) .....        | 4.75   |
| (Supp. Jan. 1, 1965) .....          | .65    |
| 13 (Rev. Jan. 1, 1963) .....        | 4.25   |
| (Supp. Jan. 1, 1965) .....          | .50    |
| 14 Parts:                           |        |
| 1-39 (Rev. Jan. 1, 1965) .....      | 1.25   |
| 40-199 (Rev. Jan. 1, 1965) .....    | 1.25   |
| 200-1199 (Rev. Jan. 1, 1965) .....  | 1.25   |
| 1200-end (Rev. Jan. 1, 1965) .....  | .35    |
| 15 (Rev. Jan. 1, 1965) .....        | 1.25   |
| 16 (Rev. Jan. 1, 1960) .....        | 6.50   |
| (Supp. Jan. 1, 1965) .....          | 1.00   |
| 17 (Rev. Jan. 1, 1964) .....        | 6.00   |
| (Supp. Jan. 1, 1965) .....          | .50    |
| 18 (Rev. Jan. 1, 1961) .....        | 6.75   |
| (Supp. Jan. 1, 1965) .....          | .70    |
| 19 (Rev. Jan. 1, 1965) .....        | 1.75   |

| CFR Unit:                                             | Price  |
|-------------------------------------------------------|--------|
| 20 (Rev. Jan. 1, 1965) .....                          | \$1.75 |
| 21 Parts:                                             |        |
| 1-129 (Rev. Jan. 1, 1965) .....                       | 1.75   |
| 130-end (Rev. Jan. 1, 1965) .....                     | 2.25   |
| 22 (Rev. Jan. 1, 1965) .....                          | 1.00   |
| 23 (Rev. Jan. 1, 1965) .....                          | .25    |
| 24 (Rev. Jan. 1, 1965) .....                          | 1.25   |
| 25 (Rev. Jan. 1, 1958) .....                          | 4.50   |
| (Supp. Jan. 1, 1965) .....                            | .70    |
| 26 Parts:                                             |        |
| 1 (§§ 1.01-1.400) (Rev. Jan. 1, 1961) .....           | 5.50   |
| (Supp. Jan. 1, 1965) .....                            | 1.00   |
| 1 (§§ 1.401-1.860) (Rev. Jan. 1, 1961) .....          | 5.50   |
| (Supp. Jan. 1, 1965) .....                            | 1.25   |
| 1 (§§ 1.861-end) to Part 19 (Rev. Jan. 1, 1961) ..... | 5.00   |
| (Supp. Jan. 1, 1965) .....                            | 1.50   |
| 20-29 (Rev. Jan. 1, 1961) .....                       | 4.25   |
| (Supp. Jan. 1, 1965) .....                            | .40    |
| 30-39 (Rev. Jan. 1, 1961) .....                       | 3.50   |
| (Supp. Jan. 1, 1965) .....                            | .50    |
| 40-169 (Rev. Jan. 1, 1961) .....                      | 4.50   |
| (Supp. Jan. 1, 1965) .....                            | 1.00   |
| 170-299 (Rev. Jan. 1, 1961) .....                     | 6.25   |
| (Supp. Jan. 1, 1965) .....                            | .75    |
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| (Supp. Jan. 1, 1965) .....                            | .50    |
| 500-599 (Rev. Jan. 1, 1961) .....                     | 4.25   |
| (Supp. Jan. 1, 1965) .....                            | .30    |
| 600-end (Rev. Jan. 1, 1961) .....                     | 3.00   |
| (Supp. Jan. 1, 1965) .....                            | .40    |
| 27 (Rev. Jan. 1, 1961) .....                          | 3.00   |
| (Supp. Jan. 1, 1965) .....                            | .30    |
| 28 (Rev. Jan. 1, 1965) .....                          | .55    |
| 29 (Rev. Jan. 1, 1965) .....                          | 3.00   |
| 30 (Rev. Jan. 1, 1965) .....                          | 1.25   |
| 31 (Rev. Jan. 1, 1965) .....                          | 1.50   |
| 32 Parts:                                             |        |
| 1-39 (Rev. Jan. 1, 1965) .....                        | 2.25   |
| 40-399 (Rev. Jan. 1, 1961) .....                      | 4.00   |
| (Supp. Jan. 1, 1965) .....                            | .60    |
| 400-589 (Rev. Jan. 1, 1962) .....                     | 3.50   |
| (Supp. Jan. 1, 1965) .....                            | .55    |
| 590-699 (Rev. Jan. 1, 1962) .....                     | 4.25   |
| (Supp. Jan. 1, 1965) .....                            | .70    |
| 700-799 (Rev. Jan. 1, 1962) .....                     | 5.00   |
| (Supp. Jan. 1, 1965) .....                            | 1.00   |
| 800-999 (Rev. Jan. 1, 1965) .....                     | 1.25   |
| 1000-1099 (Rev. Jan. 1, 1965) .....                   | 1.75   |
| 1100-end (Rev. Jan. 1, 1962) .....                    | 4.50   |
| (Supp. Jan. 1, 1965) .....                            | .75    |
| 32A (Rev. Jan. 1, 1965) .....                         | 1.00   |
| 33-34 (Rev. Jan. 1, 1962) .....                       | 8.25   |
| (Supp. Jan. 1, 1965) .....                            | .65    |
| 35 (Rev. Jan. 1, 1960) .....                          | 3.50   |
| (Supp. Jan. 1, 1965) .....                            | .40    |
| 36 (Rev. Jan. 1, 1960) .....                          | 3.00   |
| (Supp. Jan. 1, 1965) .....                            | .50    |
| 37 (Rev. Jan. 1, 1960) .....                          | 3.50   |
| (Supp. Jan. 1, 1965) .....                            | .40    |
| 38 (Rev. Jan. 1, 1965) .....                          | 2.50   |
| 39 (Rev. Jan. 1, 1962) .....                          | 5.25   |
| (Supp. Jan. 1, 1965) .....                            | 1.25   |
| 41 Chapters:                                          |        |
| 1 (Rev. Jan. 1, 1965) .....                           | 2.00   |
| 2-4 (Rev. Jan. 1, 1965) .....                         | .70    |
| 5-17 (Rev. Jan. 1, 1965) .....                        | 2.00   |
| 18-100 (Rev. Jan. 1, 1965) .....                      | 2.25   |
| 101-end (Rev. Jan. 1, 1965) .....                     | 1.25   |

| CFR Unit:                               | Price  |
|-----------------------------------------|--------|
| 42 (Rev. Jan. 1, 1960) .....            | \$4.00 |
| (Supp. Jan. 1, 1965) .....              | 1.00   |
| 43 (Rev. Jan. 1, 1965) .....            | 2.50   |
| 44 (Rev. Jan. 1, 1960) .....            | 3.25   |
| (Supp. Jan. 1, 1965) .....              | .35    |
| 45 (Rev. Jan. 1, 1960) .....            | 3.75   |
| (Supp. Jan. 1, 1965) .....              | 1.00   |
| 46 Parts:                               |        |
| 1-145 (Rev. Jan. 1, 1963) .....         | 8.00   |
| (Supp. Jan. 1, 1965) .....              | .50    |
| 146-149 (Rev. Jan. 1, 1965) .....       | 2.75   |
| (Supp. Jan. 1, 1965) .....              | .30    |
| 150-199 (Rev. Jan. 1, 1965) .....       | 1.25   |
| 200-end (Rev. Jan. 1, 1965) .....       | 1.75   |
| 47 Parts:                               |        |
| 0-19 (Rev. Jan. 1, 1965) .....          | 1.00   |
| 20-69 (Rev. Jan. 1, 1965) .....         | 1.50   |
| 70-79 (Rev. Jan. 1, 1965) .....         | 1.00   |
| 80-end (Rev. Jan. 1, 1965) .....        | 1.50   |
| 48 (Rev. Jan. 1, 1965) .....            | .45    |
| 49 Parts:                               |        |
| 0-70 (Rev. Jan. 1, 1963) .....          | 5.25   |
| (Supp. Jan. 1, 1965) .....              | .40    |
| 71-90 (Rev. Jan. 1, 1965) .....         | 2.00   |
| 91-164 (Rev. Jan. 1, 1958) .....        | 5.00   |
| (Supp. Jan. 1, 1965) .....              | .60    |
| 165-end (Rev. Jan. 1, 1964) .....       | 6.25   |
| (Supp. Jan. 1, 1965) .....              | .40    |
| 50 (Rev. Jan. 1, 1961) .....            | 3.75   |
| (Supp. Jan. 1, 1965) .....              | .60    |
| General Index (Rev. Jan. 1, 1965) ..... | .60    |

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter II—Consumer and Marketing Service (Packers and Stockyards Division), Department of Agriculture

#### PART 201—REGULATIONS UNDER PACKERS AND STOCKYARDS ACT

##### Market Agencies Not To Employ Buyers

On June 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 7721) regarding a proposed amendment to § 201.66 of the regulations (9 CFR 201.66) under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), relating to the employment of livestock buyers by market agencies. Interested persons were afforded an opportunity to submit written data, views, or arguments concerning the proposed amendment. After consideration of all relevant matter submitted by interested persons, § 201.66, Part 201, Chapter II, Title 9 of the Code of Federal Regulations, is hereby amended to read as follows:

§ 201.66 Market agencies not to employ persons engaged in buying livestock.

(a) No market agency shall employ or permit any packer, or any person employed by a packer to buy livestock for purposes of slaughter, to perform any

service or duty in connection with the furnishing by such market agency of its services.

(b) No market agency shall employ or permit any person engaged in buying livestock as a dealer or market agency, or any employee of any such person, to perform any service or duty in connection with the furnishing by such market agency of its services: *Provided*, That this paragraph shall not prohibit a market agency engaged in selling consigned livestock from employing any individual who does not engage in any dealer or market agency transactions at the stockyard where he is employed and who is not otherwise employed by a dealer or market agency engaged in selling or buying livestock at said stockyard.

The purpose of the amendment is to make it clear that, with one exception, no market agency shall employ or permit

any livestock buyer to perform any service or duty in connection with the furnishing by such market agency of its services. The one exception provided for by the amendment applies only to selling agencies at auction markets or terminal stockyards who employ individuals who (1) do not engage in any dealer or market agency transactions at the market or stockyard where they are employed, (2) are not otherwise employed by any dealer or market agency who buys or sells livestock at said market or stockyard, and (3) are not employed to buy livestock anywhere for packers.

Previously, § 201.66 has prohibited a market agency from utilizing the services of "independently operated and separately registered dealers" in the furnishing by such market agency of its services. Some market agencies, particularly those engaged in selling consigned live-

stock at auction, have claimed that they have not been able to employ the person most qualified for a particular job because of such prohibition. As amended, § 201.66 will not preclude the employment of properly qualified persons under conditions which will not present a conflict of interest situation.

This amendment shall become effective on January 1, 1966.

(Sec. 407(a), 42 Stat. 169, 72 Stat. 1750; 7 U.S.C. 228(a); interprets or applies secs. 307, 312, 42 Stat. 161 et seq., as amended; 7 U.S.C. 208, 213)

Done at Washington, D.C., this 26th day of November 1965.

CLARENCE H. GIRARD,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 65-12847; Filed, Nov. 30, 1965; 8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 6975; Amdt. 452]

### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

#### Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

#### LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition        |        |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|-------------------|--------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—             | To—    | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                   |        |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| Delta Island Int. | AC LFR | Direct              | 1500                    | T-dn                            | 300-1            | 300-1              | 300-1½                                 |
| AN LOM            | AC LFR | Direct              | 1500                    | C-dn                            | 500-1            | 500-1              | 500-1½                                 |
|                   |        |                     |                         | S-dn-31                         | 400-1            | 400-1              | 400-1                                  |
|                   |        |                     |                         | A-dn                            | 800-2            | 800-2              | 800-2                                  |

Radars available.

Procedure turn W side SW crs, 183° Outbd, 063° Inbd, 1500' within 10 miles (nonstandard due to terrain).

Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 314°—2.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 miles after passing AC LFR, climb to 1500' on SW crs, AC LFR within 20 miles or, when directed by ATC, climb to 1500' proceeding direct to AN LOM, thence on crs of 244° Outbd, 064° Inbd, within 20 miles.

CAUTION: 373' hill, 1.6 miles SW of airport and 1.3 miles W of final approach between facility and airport.

MSA within 25 miles of facility: NE, 8600'; SE, 5400'; SW, 1500'; NW, 1500'.

City, Anchorage; State, Alaska; Airport name, Anchorage International; Elev., 124'; Fac. Class., SBRAZ; Ident., AC; Procedure No. 1, Amdt. 9; Eff. date, 20 Nov. 65; Sup. Amdt. No. 8; Dated, 31 July 65

|                   |        |        |      |      |       |       |        |
|-------------------|--------|--------|------|------|-------|-------|--------|
| Delta Island Int. | AC LFR | Direct | 1500 | T-dn | 300-1 | 300-1 | 300-1½ |
| AN LOM            | AC LFR | Direct | 1500 | C-dn | 500-1 | 500-1 | 500-1½ |
|                   |        |        |      | A-dn | 800-2 | 800-2 | 800-2  |

Procedure turn W side SW crs, 183° Outbd, 063° Inbd, 1500' within 10 miles (nonstandard).

Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 006°—5.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing AC LFR, turn left, climb to 1500' on NW crs, 305°, AC LFR within 15 miles.

CAUTION: 373' hill, 1.4 miles W of AC LFR.

MSA within 25 miles of facility: NE, 8600'; SE, 5400'; SW, 1500'; NW, 1500'.

City, Anchorage; State, Alaska; Airport name, Merrill Field; Elev., 139'; Fac. Class., SBRAZ; Ident., AC; Procedure No. 1, Amdt. 14; Eff. date, 20 Nov. 65; Sup. Amdt. No. 13; Dated, 18 July 64

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition            |             |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|-----------------------|-------------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From--                | To--        | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                       |             |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| AC LFR.....           | AN LOM..... | Direct.....         | 1500                    | T-dn.....                       | 300-1            | 300-1              | 200-1½                                 |
| Delta Island Int..... | AN LOM..... | Direct.....         | 1500                    | C-dn.....                       | 500-1            | 500-1              | 500-1½                                 |
|                       |             |                     |                         | S-dn-6.....                     | 500-1            | 500-1              | 500-1                                  |
|                       |             |                     |                         | A-dn.....                       | 800-2            | 800-2              | 800-2                                  |

Radar available.  
Procedure turn S side of W crs, 244° Outbnd, 064° Inbnd, 1500' within 10 miles of AN LOM.  
Minimum altitude over facility on final approach crs, 1500'.  
Crs and distance, facility to airport, 064°—4.4 miles.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing AN LOM, turn right, climb to 1500' on SW crs, AC LFR within 15 miles or, when directed by ATC, climb to 1500' on 244° bearing within 15 miles of AN LOM.  
CAUTION: Terrain, 373'—1.6 miles SW of airport and 1.6 miles S of approach to Runway 6, 309'—0.8 mile SSW, MM and 320'—1 mile SSW, MM.  
MSA within 25 miles of facility: 000°—090°—7400'; 090°—180°—5300'; 180°—270°—2000'; 270°—360°—5400'.  
City, Anchorage; State, Alaska; Airport name, Anchorage International; Elev., 124'; Fac. Class., LOM; Ident., AN; Procedure No. 1, Amdt. 17; Eff. date, 20 Nov. 65; Sup. Amdt. No. 16; Dated, 5 June 65

|                    |                    |             |      |             |       |       |        |
|--------------------|--------------------|-------------|------|-------------|-------|-------|--------|
| Lancaster VOR..... | Lancaster RBN..... | Direct..... | 2300 | T-dn.....   | 300-1 | 300-1 | 200-1½ |
| Delroy Int.....    | Lancaster RBN..... | Direct..... | 2300 | C-dn.....   | 500-1 | 500-1 | 500-1½ |
|                    |                    |             |      | S-dn-8..... | 400-1 | 400-1 | 400-1  |
|                    |                    |             |      | A-dn.....   | 800-2 | 800-2 | 800-2  |

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2300' within 10 miles.  
Minimum altitude over facility on final approach crs, 1500'.  
Crs and distance, facility to airport, 058°—4 miles.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing LRP RBN, make a climbing left turn and return to Lancaster RBN at 2300'. Hold SW LRP RBN, 1-minute right turns, 058° Inbnd.  
Other change: Deletes transition from Int HBR, R 132°/058° bearing to LRP RBN to LRP RBN (final). MSA within 25 miles of facility: 000°—360°—2300'.  
City, Lancaster; State, Pa.; Airport name, Lancaster Municipal; Elev., 403'; Fac. Class., MHW; Ident., LRP; Procedure No. 1, Amdt. 9; Eff. date, 20 Nov. 65; Sup. Amdt. No. 8; Dated, 31 Oct. 64

|                 |                      |             |      |                                           |       |       |        |
|-----------------|----------------------|-------------|------|-------------------------------------------|-------|-------|--------|
| FRI VOR.....    | MHK RBN.....         | Direct..... | 3000 | T-dn.....                                 | 300-1 | 300-1 | 300-1  |
| Voland Int..... | MHK RBN (final)..... | Direct..... | 3000 | Minimums when control zone effective:     |       |       |        |
| Ogden Int.....  | MHK RBN.....         | Direct..... | 3000 | C-dn.....                                 | 600-1 | 600-1 | 600-1½ |
|                 |                      |             |      | C-n#.....                                 | 600-2 | 600-2 | 600-2  |
|                 |                      |             |      | A-dn#.....                                | 800-2 | 800-2 | 800-2  |
|                 |                      |             |      | Minimums when control zone not effective: |       |       |        |
|                 |                      |             |      | C-dn.....                                 | 800-2 | 800-2 | 800-2  |
|                 |                      |             |      | A-dn.....                                 | NA    | NA    | NA     |

Procedure turn E side of crs, 118° Outbnd, 298° Inbnd, 3000' within 10 miles.  
Minimum altitude over facility on final approach crs, 3000'.  
Crs and distance, facility to airport, 298°—2.4 miles.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing MHK RBN, make right turn, climbing to 3000' and return to MHK RBN.  
NOTES: (1) Altitude setting from SLN FSS when control zone not effective. (2) Final approach from holding pattern at MHK RBN not authorized. Procedure turn required.  
CAUTION: Restricted area 1.5 miles W of airport.  
#These minimums apply at all times for those air carriers with approved weather reporting service. MSA within 25 miles of facility: 000°—360°—2800'.  
City, Manhattan; State, Kans.; Airport name, Manhattan Municipal; Elev., 1050'; Fac. Class., HW; Ident., MHK; Procedure No. 1, Amdt. 2; Eff. date, 20 Nov. 65; Sup. Amdt. No. 1; Dated, 2 Aug. 64

|                |                  |             |      |               |       |       |        |
|----------------|------------------|-------------|------|---------------|-------|-------|--------|
| Allen Int..... | LOM (final)..... | Direct..... | 1800 | T-dn.....     | 300-1 | 300-1 | 200-1½ |
|                |                  |             |      | C-dn.....     | 400-1 | 400-1 | 500-1½ |
|                |                  |             |      | S-dn-328..... | 400-1 | 400-1 | 400-1  |
|                |                  |             |      | A-dn.....     | 800-2 | 800-2 | 800-2  |

Procedure turn E side of crs, 137° Outbnd, 317° Inbnd, 1900' within 10 miles.  
Minimum altitude over facility on final approach crs, 1800'.  
Crs and distance, facility to airport, 317°—3.8 miles.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, make right-climbing turn to 600' heading to intercept MKQ VOR, R 328° and proceed to Whitehall Int at 2400' or, when directed by ATC, make climbing right turn and climb to 1900' and proceed direct to LOM.  
#Reduction below ¾-mile visibility not authorized.  
MSA within 25 miles of facility: 000°—090°—2800'; 090°—180°—2100'; 180°—270°—2100'; 270°—360°—2000'.  
City, Muskegon; State, Mich.; Airport name, Muskegon County; Elev., 628'; Fac. Class., LOM; Ident., MK; Procedure No. 1, Amdt. 3; Eff. date, 20 Nov. 65; Sup. Amdt. No. 2; Dated, 28 Nov. 64

|                  |              |             |      |              |       |       |        |
|------------------|--------------|-------------|------|--------------|-------|-------|--------|
| Coin Int.....    | SDA RBN..... | Direct..... | 2500 | T-dn.....    | 300-1 | 300-1 | 200-1½ |
| Emerson Int..... | SDA RBN..... | Direct..... | 2700 | C-dn.....    | 700-1 | 700-1 | 700-1½ |
|                  |              |             |      | C-n#.....    | 700-2 | 700-2 | 700-2  |
|                  |              |             |      | S-dn-30..... | 700-1 | 700-1 | 700-1  |
|                  |              |             |      | A-dn.....    | NA    | NA    | NA     |

Procedure turn S side of crs, 125° Outbnd, 305° Inbnd, 2600' within 10 miles.  
Minimum altitude over facility on final approach crs, 1700'.  
Facility on airport. Crs and distance, breakpoint point to runway, 295°—0.6 mile.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing SDA RBN, make left turn, climbing to 2500' on the 125° bearing from SDA RBN within 10 miles, turn left and return to the SDA RBN.  
NOTE: Altitude setting from OMA FSS.  
MSA within 25 miles of facility: 000°—360°—2500'.  
City, Shenandoah; State, Iowa; Airport name, Shenandoah Municipal; Elev., 963'; Fac. Class., MHW; Ident., SDA; Procedure No. 1, Amdt. Orig.; Eff. date, 11 Nov. 65

## RULES AND REGULATIONS

## ADP STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

| Transition         |                   |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|--------------------|-------------------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—              | To—               | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                    |                   |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| ODK VOR.....       | Waukegan RBN..... | Direct.....         | 2000                    | T-dn.....                       | 300-1            | 300-1              | 200-1½                                 |
| Wind Lake Int..... | Waukegan RBN..... | Direct.....         | 2300                    | C-d.....                        | 600-1            | 600-1              | 600-1½                                 |
| Taylor Int.....    | Waukegan RBN..... | Direct.....         | 2300                    | C-n.....                        | 600-1½           | 600-1½             | 600-1½                                 |
|                    |                   |                     |                         | S-dn-23.....                    | 600-1            | 600-1              | 600-1                                  |
|                    |                   |                     |                         | A-dn.....                       | NA               | NA                 | NA                                     |

Radar available.

Procedure turn N side of crs, 041° Outbnd, 221° Inbnd, 3000' within 10 miles.

Minimum altitude over facility on final approach crs, 1327'.

Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8 mile of Waukegan RBN, make right-climbing turn to 2000', return to Waukegan RBN, hold NE on 041° bearing from UGN RBN.

NOTE: No weather available. Use O'Hare or Milwaukee altimeter setting.

MSA within 25 miles of facility: 000°-360°-2500'.

City, Waukegan; State, Ill.; Airport name, Waukegan Memorial; Elev., 727'; Fac. Class., MHW; Ident., UGN; Procedure No. 1, Amdt. Orig.; Eff. date, 20 Nov. 65

### 3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

#### VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition        |              |                     |                         | Ceiling and visibility minimums                                      |                  |                    |                                        |
|-------------------|--------------|---------------------|-------------------------|----------------------------------------------------------------------|------------------|--------------------|----------------------------------------|
| From—             | To—          | Course and distance | Minimum altitude (feet) | Condition                                                            | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                   |              |                     |                         |                                                                      | 65 knots or less | More than 65 knots |                                        |
| Wheeling LOM..... | AIR VOR..... | Direct.....         | 3000                    | T-dn.....                                                            | 300-1            | 300-1              | NA                                     |
|                   |              |                     |                         | C-d.....                                                             | 700-1            | 700-1              | NA                                     |
|                   |              |                     |                         | C-n.....                                                             | 700-2            | 700-2              | NA                                     |
|                   |              |                     |                         | S-dn.....                                                            | NA               | NA                 | NA                                     |
|                   |              |                     |                         | A-dn.....                                                            | NA               | NA                 | NA                                     |
|                   |              |                     |                         | If 6-mile DME Fix, R 293° is received, the following minimums apply: |                  |                    |                                        |
|                   |              |                     |                         | C-d.....                                                             | 600-1            | 600-1              | NA                                     |
|                   |              |                     |                         | C-n.....                                                             | 600-2            | 600-2              | NA                                     |

Procedure turn S side of crs, 113° Outbnd, 293° Inbnd, 3000' within 10 miles.

Minimum altitude over facility on final approach crs, 2600'; over 6-mile DME Fix, R 293°, 1900'.

Crs and distance, facility to airport, 293°-7.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.1 miles after passing AIR VOR, climb to 3100' and proceed direct to Newcomertown VOR. Hold SE, 1-minute right turns, 296° Inbnd.

NOTES: (1) Lights available on request. (2) Rotating beacon on field. (3) No weather service. UNICOM.

MSA within 25 miles of facility: 000°-090°-3100'; 090°-360°-2700'.

City, St. Clairsville; State, Ohio; Airport name, Alderman Field; Elev., 1195'; Fac. Class., L-BVOR-DME; Ident., AIR; Procedure No. 1, Amdt. 4; Eff. date, 20 Nov. 65; Sup. Amdt. No. 3; Dated, 2 Oct. 65

### 4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

#### TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition           |                            |                     |                         | Ceiling and visibility minimums                            |                  |                    |                                        |
|----------------------|----------------------------|---------------------|-------------------------|------------------------------------------------------------|------------------|--------------------|----------------------------------------|
| From—                | To—                        | Course and distance | Minimum altitude (feet) | Condition                                                  | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                      |                            |                     |                         |                                                            | 65 knots or less | More than 65 knots |                                        |
| Lancaster RBN.....   | Lancaster VOR.....         | Direct.....         | 2000                    | T-dn.....                                                  | 300-1            | 300-1              | 200-1½                                 |
| Landisville Int..... | Lancaster VOR (final)..... | Direct.....         | 800                     | C-d.....                                                   | 800-2            | 800-2              | 800-2                                  |
|                      |                            |                     |                         | S-dn-8.....                                                | 800-2            | 800-2              | 800-2                                  |
|                      |                            |                     |                         | A-dn.....                                                  | 800-2            | 800-2              | 800-2                                  |
|                      |                            |                     |                         | If Landisville Int received, the following minimums apply: |                  |                    |                                        |
|                      |                            |                     |                         | C-d.....                                                   | 500-1            | 500-1              | 500-1½                                 |
|                      |                            |                     |                         | S-dn.....                                                  | 400-1            | 400-1              | 400-1                                  |

Procedure turn S side of crs, 269° Outbnd, 089° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 1203'; 803' if Landisville Int received.

Crs and distance, breakpoint point to approach end of Runway 8, 077°-0.6 mile; Landisville Int to airport, 3.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb to 2000' on R 089° within 10 miles and return to VOR at 2000'. Hold W, LRP VOR, R 269° 1-minute right turns.

CAUTION: 1490' tower, 16 miles SW of airport.

\*400-½ authorized, except for 4-engine turbojet aircraft, with operative REIL.

MSA within 25 miles of facility: 090°-180°-2200'; 180°-090°-2700'.

City, Lancaster; State, Pa.; Airport name, Lancaster; Elev., 403'; Fac. Class., BVOR; Ident., LRP; Procedure No. TerVOR-8, Amdt. 4; Eff. date, 20 Nov. 65; Sup. Amdt. No. 3; Dated, 1 June 65

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

| Transition    |         |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|---------------|---------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—         | To—     | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|               |         |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| Lancaster RBN | LRP VOR | Direct              | 2100                    | T-dn                            | 300-1            | 300-1              | 300-1½                                 |
|               |         |                     |                         | C-dn                            | 500-1            | 500-1              | 500-1½                                 |
|               |         |                     |                         | S-dn-31                         | 500-1            | 500-1              | 500-1                                  |
|               |         |                     |                         | A-dn                            | 800-2            | 800-2              | 800-2                                  |

Procedure turn N side of crs, 137° Outbnd, 317° Inbnd, 2100' within 10 miles.  
Minimum altitude over facility on final approach crs, 900'.  
Crs and distance, breakoff point to approach end of Runway 31, 308°—6.6 mile.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 mile of LRP VOR, climb to 2100' on LRP VOR, R 291° within 10 miles, make left turn, return to VOR. Hold W, LRP VOR, R 269° 1-minute right turns.  
MSA within 25 miles of facility: 090°—180°—2200'; 180°—090°—2700'.

City, Lancaster; State, Pa.; Airport name, Lancaster; Elev., 403'; Fac. Class., BVOR; Ident., LRP; Procedure No. TerVOR-31, Amdt. 4; Eff. date, 20 Nov. 65; Sup. Amdt. No. 3; Dated, 1 June 63

5. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition |                        |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|------------|------------------------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—      | To—                    | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|            |                        |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| GRI VORTAC | 7-mile DME Fix, R 170° | Direct              | 3700                    | T-dn                            | 300-1            | 300-1              | 300-1½                                 |
| OBH VORTAC | GRI VORTAC             | Direct              | 3700                    | C-dn                            | 500-1            | 500-1              | 500-1½                                 |
|            |                        |                     |                         | S-dn-350                        | 500-1            | 500-1              | 500-1                                  |
|            |                        |                     |                         | A-dn                            | 800-2            | 800-2              | 800-2                                  |

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 3700' between 7-mile and 17-mile DME Fix, R 170°.  
Minimum altitude over 7-mile DME Fix, R 170° final approach crs, 3400'.  
Crs and distance, 7-mile DME Fix, R 170° to airport, 350°—5.4 miles.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.6-mile DME Fix, R 170°, climb to 3700' on GRI, R 350° within 10 miles, turn left and return to GRI VOR.  
NOTE: When authorized by ATC, DME may be used via 12-mile DME Arc at 3700' altitude between GRI VOR, R 060° clockwise to GRI VOR, R 270° to position aircraft for final approach with the elimination of procedure turn.  
④500-½ authorized with operative high-intensity runway lights, except for 4-engine turbojets.  
④Reduction below ¼ mile not authorized.  
MSA within 25 miles of facility: 045°—135°—3300'; 135°—225°—3700'; 225°—315°—3200'; 315°—045°—3300'.

City, Grand Island; State, Neb.; Airport name, Grand Island Municipal; Elev., 1840'; Fac. Class., BVORTAC; Ident., GRI; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 20 Nov. 65

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

| Transition    |             |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|---------------|-------------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—         | To—         | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|               |             |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| Allen Int.    | LOM (final) | Direct              | 1900                    | T-dn*                           | 300-1            | 300-1              | 200-1½                                 |
| MKG VOR       | LOM         | Direct              | 2300                    | C-dn                            | 400-1            | 500-1              | 500-1½                                 |
| Bullfrog Int. | LOM         | Direct              | 2300                    | S-dn-32**#                      | 200-1½           | 200-1½             | 200-1½                                 |
|               |             |                     |                         | A-dn                            | 600-2            | 600-2              | 600-2                                  |

Procedure turn E side of SE crs, 137° Outbnd, 317° Inbnd, 1900' within 10 miles.  
Minimum altitude at glide slope interception Inbnd, 1900'.  
Altitude of glide slope and distance to approach end of runway at OM, 1843'—3.8 miles; at MM, 811'—0.5 mile.  
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM, make climbing right turn to 090° heading to intercept MKG, R 328° and proceed to Whitehall Int at 2400' or, when directed by ATC, make right turn and climb to 2300' and proceed direct to MKG VOR.

#400-½ required if glide slope not utilized, reduction below ¼ mile not authorized.  
\*RVR 2400' authorized Runway 32.  
\*\*RVR 2400'. Descent below 828' not authorized unless approach lights are visible.  
City, Muskegon; State, Mich.; Airport name, Muskegon County; Elev., 628'; Fac. Class., ILS; Ident., I-MKG; Procedure No. ILS-32, Amdt. 2; Eff. date, 20 Nov. 65; Sup. Amdt. No. 4; Dated, 2 Jan. 65

## RULES AND REGULATIONS

## ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

| Transition           |                    |                     |                         | Ceiling and visibility minimums |                  |                    |                                        |
|----------------------|--------------------|---------------------|-------------------------|---------------------------------|------------------|--------------------|----------------------------------------|
| From—                | To—                | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less |                    | More than 2-engine, more than 65 knots |
|                      |                    |                     |                         |                                 | 65 knots or less | More than 65 knots |                                        |
| St. Louis LOM        | Lake RBN           | Direct              | 2400                    | T-dn##                          | 300-1            | 300-1              | 200-1½                                 |
| St. Louis VOR        | Lake RBN           | Direct              | 2400                    | C-dn                            | 500-1            | 500-1              | 500-1½                                 |
| Maryland Heights VOR | SW crs ILS (final) | R 072°, MTS VOR     | 1500                    | S-dn-6@<br>A-dn                 | 500-1<br>800-2   | 500-1<br>800-2     | 500-1<br>800-2                         |

Radar available.

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2400' within 10 miles of Lake RBN.

No glide slope or markers. Altitude over Lake RBN, 1500'. Distance from Lake RBN to Runway 6, 3.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing Lake RBN, climb to 1900' on NE crs, ILS to ST LOM or, when directed by ATC, make left (N) turn, climb to 2400' direct to STL VOR.

NOTE: Final approach from holding pattern at LAQ RBN not authorized. Procedure turn required.

Other change: Deletes radar missed approach note.

#RVR 2400' authorized Runway 24.

@300-¾ authorized with operative SALS or HIRL except for 4-engine turbojets. Reduction below ¾ mile not authorized.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-STL; Procedure No. ILS-6 (back crs); Amdt. 16; Eff. date, 20 Nov. 65; Sup. Amdt. No. 15; Dated, 24 Aug. 63

|                      |             |                                     |      |                           |                         |                         |                          |
|----------------------|-------------|-------------------------------------|------|---------------------------|-------------------------|-------------------------|--------------------------|
| Cardinal Int.        | LOM         | Direct                              | 2000 | T-dn                      | 300-1                   | 300-1                   | 200-1½                   |
| St. Paul Int.        | LOM (final) | Via STL, R 277° and NW crs, LMR ILS | 2000 | C-dn<br>S-dn-12R@<br>A-dn | 500-1<br>400-1<br>600-2 | 500-1<br>400-1<br>600-2 | 500-1½<br>400-1<br>600-2 |
| STL VOR              | LOM         | Direct                              | 2000 |                           |                         |                         |                          |
| Lake RBN             | LOM         | Direct                              | 2000 |                           |                         |                         |                          |
| ST LOM               | LOM         | Direct                              | 2000 |                           |                         |                         |                          |
| Academy Int.         | LOM         | Direct                              | 2000 |                           |                         |                         |                          |
| Godfrey Int.         | LOM         | Direct                              | 2200 |                           |                         |                         |                          |
| Maryland Heights VOR | LOM         | Direct                              | 2200 |                           |                         |                         |                          |
| LeMay Int.           | LOM         | Direct                              | 2000 |                           |                         |                         |                          |
| Park Int.            | LOM         | Direct                              | 2000 |                           |                         |                         |                          |

Radar available.

Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 117°—5.3 miles.

No glide slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LMR LOM, climb to 2000' on 117° bearing from LM LOM within 10 miles turn right, return to LM LOM or, when directed by ATC, climb to 2400' on 117° bearing from LM LOM within 10 miles turn right, proceed to Lake RBN.

CAUTION: Vehicular traffic crossing perpendicular to approach crs and extending above ALS, 900' from threshold Runway 12R.

#RVR 2400' authorized Runway 24.

@No reduction authorized.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-LMR; Procedure No. ILS-12R; Amdt. 1; Eff. date, 20 Nov. 65; Sup. Amdt. No. Orig.; Dated, 14 Dec. 64, or upon commissioning of facility

|                      |             |        |      |           |        |        |        |
|----------------------|-------------|--------|------|-----------|--------|--------|--------|
| St. Louis VOR        | LOM         | Direct | 1900 | T-dn##    | 300-1  | 300-1  | 200-1½ |
| Hartford Int.        | Cors Int.   | Direct | 1900 | C-dn      | 500-1  | 500-1  | 500-1½ |
| Lake RBN             | LOM         | Direct | 2000 | S-dn-24R@ | 200-1½ | 200-1½ | 200-1½ |
| Cors Int.            | LOM (final) | Direct | 1900 | A-dn      | 600-2  | 600-2  | 600-2  |
| Academy Int.         | LOM         | Direct | 1900 |           |        |        |        |
| Maryland Heights VOR | LOM         | Direct | 2000 |           |        |        |        |
| LeMay Int.           | LOM         | Direct | 2000 |           |        |        |        |
| Prairie Int.         | LOM         | Direct | 2000 |           |        |        |        |
| Godfrey Int.         | LOM         | Direct | 2200 |           |        |        |        |

Radar available.

Procedure turn N side of crs, 058° Outbnd, 238° Inbnd, 1900' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1900'.

Altitude of glide slope and distance to approach end of runway at OM, 1832'—4.1 miles; at MM, 750'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing ST LOM, climb to 2400' on SW crs of ILS to Lake RBN or, when directed by ATC, make right (N) turn, climb to 2400' direct to STL VOR.

Other change: Deletes missed approach radar note.

#RVR 2400'. Descent below 771' not authorized unless approach lights are visible.

@When glide slope not utilized 400-1 required. 400-¾ (RVR 4000') authorized with HIRL except for 4-engine turbojet.

400-1½ (RVR 2400') authorized with operative ALS, except for 4-engine turbojets.

#RVR 2400' authorized Runway 24.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-STL; Procedure No. ILS-24, Amdt. 28; Eff. date, 20 Nov. 65; Sup. Amdt. No. 27; Dated, 24 Aug. 63

|         |                       |                                     |      |                                     |                                  |                                  |                                    |
|---------|-----------------------|-------------------------------------|------|-------------------------------------|----------------------------------|----------------------------------|------------------------------------|
| TOY VOR | Cardinal Int. (final) | Via TOY, R 230° and SE crs, LMR ILS | 2000 | T-dn##<br>C-dn<br>S-dn-30L@<br>A-dn | 300-1<br>500-1<br>500-1<br>800-2 | 300-1<br>500-1<br>500-1<br>800-2 | 200-1½<br>500-1½<br>500-1<br>800-2 |
|---------|-----------------------|-------------------------------------|------|-------------------------------------|----------------------------------|----------------------------------|------------------------------------|

Procedure turn not authorized. Radar required. Final approach crs, 297° Inbnd.

Minimum altitude over Cardinal Int on final approach crs, 2000'. Radar identification of Cardinal Int authorized.

Crs and distance, Cardinal Int to airport, 297°—5 miles.

No glide slope—no markers.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Cardinal Int, climb to 2000' direct to LM LOM and hold on 297° bearing from LM LOM or, when directed by ATC, make right turn, climb to 1900', proceed to ST LOM.

Other change: Deletes missed approach radar note.

#Reduction not authorized.

#RVR 2400' authorized Runway 24.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-LMR; Procedure No. ILS-30L (back crs); Amdt. 1; Eff. date, 20 Nov. 65; Sup. Amdt. No. Orig.; Dated, 14 Dec. 64, or upon commissioning of facility

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

| Transition |      |                     |                         | Ceiling and visibility minimums |                    |                    |                                        |  |
|------------|------|---------------------|-------------------------|---------------------------------|--------------------|--------------------|----------------------------------------|--|
| From—      | To—  | Course and distance | Minimum altitude (feet) | Condition                       | 2-engine or less   |                    | More than 2-engine, more than 65 knots |  |
|            |      |                     |                         |                                 | 65 knots or less   | More than 65 knots |                                        |  |
|            |      |                     |                         |                                 | Precision approach |                    |                                        |  |
| 240°       | 020° | Within:             | 2500                    | T-dn.....                       | 300-1              | 300-1              | 300-1                                  |  |
| 020°       | 080° | 10 miles.....       | 3000                    | C-dn.....                       | 600-1              | 600-1              | 600-1½                                 |  |
| 080°       | 120° | 10 miles.....       | 2000                    | S-dn-32°.....                   | 300-1              | 300-1              | 300-1                                  |  |
| 120°       | 220° | 10 miles.....       | 2500                    | A-dn.....                       | NA                 | NA                 | NA                                     |  |
| 220°       | 340° | 10 miles.....       | 2000                    | Surveillance approach           |                    |                    |                                        |  |
|            |      |                     |                         | T-dn.....                       | 300-1              | 300-1              | 300-1                                  |  |
|            |      |                     |                         | C-dn.....                       | 600-1              | 600-1              | 600-1½                                 |  |
|            |      |                     |                         | S-dn-32.....                    | 600-1              | 600-1              | 600-1                                  |  |
|            |      |                     |                         | A-dn.....                       | NA                 | NA                 | NA                                     |  |

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000', proceed direct to Springfield RBN, hold NW, 151° inbound, 1-minute right turns.

Notes: (1) In the event of lost, two-way radio communications while in the Springfield holding pattern, hold for 10 minutes then proceed direct to the DCA outer compass locator (DC) and make an approach to DCA National Airport appropriate to equipment aboard the aircraft. (2) Authorized for military use only, except by prior arrangement. \*300-3½ authorized, except for 4-engine turbojet, with operative HIRL.

City, Fort Belvoir, State, Va.; Airport name, Davison U.S. Army Airfield; Elev., 69'; Fac. Class., and Ident., Davison Radar; Procedure No. 1, Amdt. 2; Eff. date, 30 Nov. 65; Sup. Amdt. No. 1; Dated, 23 May 64

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348 (c), 1354 (a), 1421; 72 Stat. 740, 752, 775)

Issued in Washington, D.C., on October 13, 1965.

C. W. WALKER,  
Acting Director, Flight Standards Service.

[F.R. Doc. 65-11246; Filed, Nov. 30, 1965; 8:45 a.m.]

## Title 7—AGRICULTURE

### Subtitle A—Office of the Secretary of Agriculture

#### PART 15—NONDISCRIMINATION

#### Subpart A—Nondiscrimination in Federally Assisted Programs of the Department of Agriculture—Effectuation of Title VI of the Civil Rights Act of 1964

##### SUPPLEMENT TO APPENDIX

The Appendix to Subpart A to Part 15, Subtitle A, Title 7 CFR, is hereby amended by adding the following Supplement No. 1 thereto.

**AUTHORITY:** This Supplement No. 1 to the Appendix to Subpart A to Part 15, Subtitle A, Title 7, CFR, is issued under section 602, 78 Stat. 252, § 15.1(b) of Subpart A to Part 15, Subtitle A, Title 7, CFR.

**Supplement No. 1.** Programs and activities of the Department of Agriculture covered by Title VI of the Civil Rights Act of 1964:

Grants for research, P.L. 89-106, 79 Stat. 431.

Transfer of fire lookout towers, improvements, and land to States and political subdivisions, P.L. 85-464, 16 U.S.C. 565b.

Easements for road rights-of-way over National Forest lands, other lands ad-

ministered by the Forest Service and related lands, P.L. 88-657, 16 U.S.C. 533.

Conveyance of land to States or political subdivisions for widening highways, streets and alleys, P.L. 88-608, 40 U.S.C. 345c.

Financial assistance to States and political subdivisions to provide low-rent housing and related facilities for domestic farm labor, P.L. 88-560, 42 U.S.C. 1486.

Financial and other assistance to landowners, operators, or occupiers to carry out land uses and conservation, section 203, P.L. 89-4, 79 Stat. 12.

Financial assistance to private timber organizations to carry out timber development programs, section 204a, P.L. 89-4, 79 Stat. 13.

Grants under sections 306 and 314 of the Consolidated Farmers Home Administration Act of 1961.

Cropland Adjustment Program, section 601 of the Food and Agriculture Act of 1965, 79 Stat. 1206.

**Effective date.** This Supplement No. 1 to the Appendix to Subpart A to Part 15 to Subtitle A, Title 7, CFR, shall become effective upon publication in the FEDERAL REGISTER.

Dated: November 26, 1965.

ORVILLE L. FREEMAN,  
Secretary of Agriculture.

[F.R. Doc. 65-12811; Filed, Nov. 30, 1965; 8:45 a.m.]

## Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

### PART 401—FEDERAL CROP INSURANCE

#### Subpart—Regulations for the 1961 and Succeeding Crop Years

##### DELETION FROM LIST OF COUNTIES DESIGNATED FOR COTTON CROP INSURANCE

Lexington County, S.C., is hereby deleted from the list of counties published in the FEDERAL REGISTER on October 23, 1965 (30 F.R. 13686), which were designated for cotton crop insurance for the 1966 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,  
Manager,  
Federal Crop Insurance Corporation.

[F.R. Doc. 65-12839; Filed, Nov. 30, 1965; 8:47 a.m.]

# PART 401—FEDERAL CROP INSURANCE

## Subpart—Regulations for the 1961 and Succeeding Crop Years

### DELETION FROM LIST OF COUNTIES DESIGNATED FOR GRAIN SORGHUM CROP INSURANCE

The counties listed below are hereby deleted from the list of counties published in the FEDERAL REGISTER on October 28, 1965 (30 F.R. 13687), which were designated for grain sorghum crop insurance for the 1966 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

KANSAS (1)

Ottawa.

NEBRASKA (1)

Boone.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,

Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 65-12840; Filed, Nov. 30, 1965; 8:47 a.m.]

# PART 401—FEDERAL CROP INSURANCE

## Subpart—Regulations for the 1961 and Succeeding Crop Years

### DELETION FROM LIST OF COUNTIES DESIGNATED FOR SOYBEAN CROP INSURANCE

The counties listed below are hereby deleted from the list of counties published in the FEDERAL REGISTER on October 28, 1965 (30 F.R. 13689), which were designated for soybean crop insurance for the 1966 crop year pursuant to the authority contained in § 401.1 of the above-identified regulations.

SOUTH CAROLINA (2)

Lexington.

Chesterfield.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,

Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 65-12841; Filed, Nov. 30, 1965; 8:47 a.m.]

# PART 403—PEACH CROP INSURANCE

## Subpart—Regulations for the 1965 and Succeeding Crop Years

### DELETION FROM LIST OF COUNTIES DESIGNATED FOR PEACH CROP INSURANCE

Howard County, Ark., is hereby deleted from the list of counties published in the FEDERAL REGISTER on October 28, 1965 (30 F.R. 13692), which were designated for peach crop insurance for the 1966 crop year pursuant to the authority contained in § 403.40 of the above-identified regulations.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,

Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 65-12842; Filed, Nov. 30, 1965; 8:47 a.m.]

## Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

### SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

# PART 841—NORMAL YIELDS; BEET SUGAR AREA

## 1966 and Subsequent Crops of Sugarbeets

Pursuant to the provisions of section 303 of the Sugar Act of 1948, as amended, § 841.2 (15 F.R. 1481) is hereby revoked and the new §§ 841.3, 841.4, and 841.5 are added to Part 841 effective for the 1966 and subsequent crops of sugarbeets. Part 841 is revised to read as follows:

Sec.

841.3 Definitions.

841.4 County average yields and county normal yields.

841.5 Farm normal yields.

**AUTHORITY:** The provisions of this Part 841 issued pursuant to sec. 303 of the Sugar Act of 1948, as amended (sec. 403, 61 Stat. 932; 7 U.S.C. 1153, sec. 303, 61 Stat. 930, as amended; 7 U.S.C. 1133).

### § 841.3 Definitions.

(a) "Act", "Secretary", "State Committee", and "County Committee" shall have the meaning set forth in Part 891 of this chapter.

(b) "Farm" shall have the meaning set forth in Part 822 of this chapter and a farm shall be regarded as located in a county in accordance with Part 842 of this chapter.

(c) "Planted acres" means the acreage of sugarbeets (within a farm proportionate share if established by the Secretary) as determined by the county committee which was either harvested for the extraction of sugar or was bona fide abandoned to the extent of fulfilling at least the requirements for abandonment payment set forth in subparagraphs (1) through (5) of paragraph (a) of § 842.2 of this chapter, as shown by the office records of the county committee.

(d) "Annual yield for a farm" means the average yield per planted acre on the farm for each crop, in hundredweight of sugar commercially recoverable, computed pursuant to Part 831 of this chapter.

(e) "Base period" means the next preceding five crops prior to the crop for which the farm normal yield is established.

### § 841.4 County average yields and county normal yields.

County average yields and county normal yields shall be established by the

State committee for purposes of determining farm normal yields for the 1966 and each subsequent crop as follows:

(a) *County average yield*—(1) *More than ten farms.* The "county average yield" for a county for any crop in the base period having ten or more sugarbeet farms with planted acres of such crop shall be the weighted average hundredweight of sugar commercially recoverable per planted acre of such crop, determined on the basis of the total planted acres and total hundredweight of sugar commercially recoverable of such crop for all such farms in the county.

(2) *Less than ten farms.* The "county average yield" for any crop in the base period for a county in which there were planted acres of sugarbeets on at least one farm but on less than ten farms, shall be the yield in hundredweight of sugar per planted acre which the State committee determines could have been reasonably expected for that crop in such county.

(b) *County normal yield*—(1) *County average yield determined for three or more years.* For a county for which county average yields are determined for three or more of the crops in the base period pursuant to paragraph (a) (1) and (2) of this section, the "county normal yield" shall be the simple average of all such "county average yields" determined in the base period.

(2) *County average yields not determined for three or more years.* For a county for which county average yields are not determined for any of the years in the base period or for less than 3 years of the base period pursuant to paragraph (a) (1) and (2) of this section, the "county normal yield" shall be the yield which the State committee determines could have been reasonably expected in the county during the base period.

### § 841.5 Farm normal yield.

The normal yield of commercially recoverable sugar per acre for each sugarbeet farm shall be determined by the county committee for the 1966 and each subsequent crop as follows:

(a) *Farms with planted acres in three or more years.* For a farm on which there were planted acres of three or more crops in the base period, the farm normal yield shall be the simple average of the annual yields of such crops for the farm.

(b) *Farms with planted acres in only 1 or 2 years.* For a farm on which there were planted acres of only one or two crops in the base period, the normal yield shall be the product derived by multiplying the county normal yield by the percentage obtained by dividing the annual yield for the farm or the simple average of the annual yields for the farm for such two crops, by respectively the county average yield or the simple average of the county average yields for such two crops, except that the normal yield as so determined for such farm for a crop shall not be less than 80 percent nor more than 120 percent of the county normal yield for such crop.

(c) *Farms with no planted acres.* For a farm on which there were no planted acres of any crop in the base period the county committee shall establish a normal yield which shall not exceed 90 percent of the county normal yield, and in establishing the normal yield for such a farm the county committee shall take into consideration the annual yield of any farms in the base period which are located in the same area and which are similar with respect to crop productivity, suitability of land for growing sugarbeets, soil type, and other comparable conditions for growing sugarbeets.

*Statement of bases and considerations.* Section 303 of the act authorizes the Secretary to make payments to producers of sugarbeets or sugarcane with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage under certain conditions. The payments are computed in reference to normal yields of commercially recoverable sugar per acre, as established for individual farms pursuant to determinations issued by the Secretary.

The former determinations of normal yields for sugarbeet farms issued at intervals since 1937 have been quite similar and have given satisfactory results generally. The last revision, as issued March 10, 1950, provided for a substantial simplification of required computations, with insignificant changes in results.

This revised determination continues in large part the provisions effective for the crops of 1950 through 1965. However, additional definitions and minor language changes are included, and the applicable base period is reduced from 7 to 5 crop years. In cases where there are no planted acres in any of the next preceding 5 crop years it is provided that the county committee may determine a normal yield of not more than 90 percent of the county normal yield by considering the average yields of any farms in the same area which are similar with respect to crop productivity and other comparable conditions.

Under each of the former determinations, a moving 7-year base period was employed. A relatively long base period was used to assure the inclusion of at least 3 years of production on most farms. Under former conditions, sugarbeets were grown intermittently on many farms. In more recent crop years, however, sugarbeets have been grown more continuously on individual farms. The specialization and mechanization of beet production have been important factors in this change. Restrictive farm proportionate shares for the crops of 1955 through 1960 and for the crop year 1965 tend to promote continuity of production. Keen interest in the production of beets has continued the trend.

In view of more continuous production of beets on individual farms, a base period of 5 crop years will now cover 3 to 5 years of production for most of the farms. Normal yields computed from the shorter base period should be more representative of yields to be attained in

the future. There will be a substantial reduction in the effort required in assembling and using data for practically all farms, but particularly for reconstituted farms.

Accordingly, I hereby find and conclude that the aforesaid determination will effectuate the applicable provisions of the act.

*Effective date.* Date of publication.

Signed at Washington, D.C., on November 26, 1965.

ROLAND F. BALLOU,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-12843; Filed, Nov. 30, 1965; 8:47 a.m.]

#### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Reg. 87, Amdt. 1]

#### PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of Navel oranges grown in Arizona and designated part of California.

*Order, as amended.* The provisions in paragraph (b) (1) (i), (iii), and (iv) of § 907.387 (Navel Orange Regulation 87, 30 F.R. 14523) are hereby amended to read as follows:

#### § 907.387 Navel Orange Regulation 87.

- (b) *Order.* (1) \* \* \*
- (i) District 1: Unlimited movement;
- \* \* \*
- (iii) District 3: Unlimited movement;
- (iv) District 4: Unlimited movement.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 24, 1965.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-12808; Filed, Nov. 30, 1965; 8:45 a.m.]

[Lime Reg. 20, Amdt. 1]

#### PART 911—LIMES GROWN IN FLORIDA

##### Quality and Size Regulation

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of limes.

(b) It is, therefore, ordered that paragraph (b) (2) (ii) of § 911.322 (Lime Regulation 20; 30 F.R. 9052) is amended to read as follows:

#### § 911.322 Lime Regulation 20.

- (b) *Order.* \* \* \*
- (2) \* \* \*

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grown in the production area which do not grade at least U.S. No. 2, Mixed Color; or

(c) The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., November 27, 1965.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: November 26, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-12845; Filed, Nov. 30, 1965; 8:47 a.m.]

[Lime Reg. 2, Amdt. 6]

## PART 944—FRUIT; IMPORT REGULATIONS

### Limes

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of § 944.201 (Lime Regulation 2; 29 F.R. 8160, 9320, 11706; 30 F.R. 3374, 5621, 7743) are hereby amended to read as follows:

#### § 944.201 Lime Regulation 2.

(a) On and after 12:01 a.m., e.s.t., November 27, 1965, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements:

(1) Such limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. No. 2, Mixed Color; and

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1½ inches in diameter: *Provided*, That such limes which are of a size smaller than 1½ inches in diameter but not of a size smaller than 1½ inches in diameter may be imported if such smaller limes have an average juice content of at least 50 percent, by volume.

(4) Notwithstanding the provisions of subparagraph (3) of this paragraph, not to exceed 10 percent, by count, of the limes in any lot of containers may fail to meet the applicable size requirement: *Provided*, That no individual container of limes having a net weight of more than 3 pounds may have more than 15 percent, by count, of limes which fail to meet such applicable size requirement.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that herein-after specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8a of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same re-

strictions being made applicable to domestic shipments of limes under Amendment 1 to Lime Regulation 20 (§ 911.322), which becomes effective November 27, 1965; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this regulation relieves restrictions on the importation of Persian limes.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, November 26, 1965, to become effective at 12:01 a.m., e.s.t., November 27, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-12846; Filed, Nov. 30, 1965; 8:47 a.m.]

## Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

### CHICAGO, ILL., MARKETING AREA, ETC.

#### Order Amending Orders

##### 7 CFR Part and Marketing Area.

|      |                         |
|------|-------------------------|
| 1030 | Chicago, Ill.           |
| 1031 | Northwestern Indiana.   |
| 1032 | Suburban St. Louis.     |
| 1038 | Rock River Valley.      |
| 1039 | Milwaukee, Wis.         |
| 1051 | Madison, Wis.           |
| 1062 | St. Louis, Mo.          |
| 1063 | Quad Cities-Dubuque.    |
| 1070 | Cedar Rapids-Iowa City. |
| 1078 | North Central Iowa.     |
| 1079 | Des Moines, Iowa.       |

#### Section 0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of each of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein. The following findings are hereby made with respect to each of the aforesaid orders.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the above-designated marketing areas. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions

thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and whole-some milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* (1) It is necessary in the public interest to make this order amending the order effective not later than December 1, 1965. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

(2) The provisions of the said order are known to handlers. The decision of the Assistant Secretary of Agriculture containing all amendment provisions of this order, was issued November 23, 1965. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective December 1, 1965, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the *FEDERAL REGISTER*. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8e(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

[The following determination is made with respect to each of the orders amending the orders regulating the handling of milk in the Chicago, Ill.; Northwestern Indiana; Suburban St. Louis; Rock River Valley; Madison, Wis.; St. Louis, Mo.; Quad Cities-Dubuque; Cedar Rapids-Iowa City; and Des Moines, Iowa, marketing areas.]

(3) The issuance of the order amending the order is favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

[The following determination is made with respect to the order amending the

orders regulating the handling of milk in the Milwaukee, Wis., and North Central Iowa marketing areas.]

(3) The issuance of the order amending the order is favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

*Order relative to handling.* It is therefore ordered, that on and after the effective date hereof, the handling of milk in the respective designated marketing areas shall be in conformity to and in compliance with the terms and conditions of the aforesaid orders, as amended and as hereby amended, as follows:

**PART 1030—MILK IN CHICAGO, ILL., MARKETING AREA**

1. The introductory text of § 1030.51 (a) is revised to read as follows:

**§ 1030.51 Class prices.**

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus \$1.20 August through November, \$0.80 March through June and \$1.00 in other months, adjusted not more than 24 cents each month by plus or minus 2.0 cents, respectively, for each full percent that the adjusted supply-demand ratio computed as follows, is above or below 72 percent: *Provided*, That the Class I price for December 1965 and January and February 1966 shall be \$4.30 and for March through June 1966 shall be \$4.10.

**PART 1031—MILK IN NORTHWESTERN INDIANA MARKETING AREA**

2. Section 1031.51(a) is revised to read as follows:

**§ 1031.51 Class prices.**

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.36 August through November, \$0.96 March through June and \$1.16 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.46 and for March through June 1966 shall be \$4.26.

**PART 1032—MILK IN SUBURBAN ST. LOUIS MARKETING AREA**

3. Section 1032.51(a) (1) is revised to read as follows:

**§ 1032.51 Class prices.**

(a) *Class I price.* (1) The Class I price for plants located in the base zone shall be the basic formula price for the preceding month plus \$1.50 during each of the months of August through November; plus \$1.10 during each of the months of March through June and plus \$1.30 during all other months. Such price shall be increased or decreased, respectively, by whatever amounts the Class I prices computed pursuant to Parts 1030 (Chicago) and 1062 (St. Louis, Mo.) of this chapter are increased or decreased by the supply-demand adjusters computed for such month under such parts: *Provided*, That the Class I price for December 1965 and January and February 1966 shall be \$4.70 and for March through June 1966 shall be \$4.50.

**PART 1038—MILK IN ROCK RIVER VALLEY MARKETING AREA**

4. Section 1038.51(a) is revised to read as follows:

**§ 1038.51 Class prices.**

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.12 August through November; \$0.72 March through June and \$0.92 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.22 and for March through June 1966 shall be \$4.02.

**PART 1039—MILK IN MILWAUKEE, WIS., MARKETING AREA**

5. Section 1039.51(a) is revised to read as follows:

**§ 1039.51 Class prices.**

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.08 August through November; \$0.68 March through June and \$0.88 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.18 and for March through June 1966 shall be \$3.98.

**PART 1051—MILK IN MADISON, WIS., MARKETING AREA**

6. Section 1051.51(a) is revised to read as follows:

**§ 1051.51 Class prices.**

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.08 August through November, \$0.68 March through June and \$0.88 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.18 and for March through June 1966 shall be \$3.98.

**PART 1062—MILK IN ST. LOUIS, MO., MARKETING AREA**

7. Section 1062.51(a) is revised to read as follows:

**§ 1062.51 Class prices.**

(a) *Class I milk price.* The Class I price shall be the basic formula price for the preceding month plus \$1.60 during the months of August, September, October, and November; plus \$1.40 during the months of December, January, February, and July; and plus \$1.20 during all other months. Such price shall be increased or decreased by whatever amount the Class I price computed pursuant to Part 1030 (Chicago) of this chapter is increased or decreased by the supply-demand adjuster computed for such month under such part; and plus or minus the amounts provided in subparagraphs (1) and (2) of this paragraph: *Provided*, That the Class I price for December 1965 and January and February 1966 shall be \$4.80 and for March through June 1966 shall be \$4.60.

**PART 1063—MILK IN QUAD CITIES-DUBUQUE MARKETING AREA**

8. Section 1063.50(b) is revised to read as follows:

**§ 1063.50 Basic formula and class prices.**

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus \$1.30 August through November, \$0.90 March through June and \$1.10 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents

because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.40 and for March through June 1966 shall be \$4.20.

#### PART 1070—MILK IN CEDAR RAPIDS-IOWA CITY MARKETING AREA

9. Section 1070.50(b) is revised as follows:

##### § 1070.50 Basic formula and class prices.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus \$1.30 August through November, \$0.90 March through June, and \$1.10 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I prices for December 1965 and January and February 1966 shall be \$4.40 and for March through June 1966 shall be \$4.20.

#### PART 1078—MILK IN NORTH CENTRAL IOWA MARKETING AREA

10. Section 1078.50(b) is revised to read as follows:

##### § 1078.50 Basic formula and class prices.

(b) *Class I milk price.* The Class I milk price at plants located in Zone 1 shall be the basic formula price for the preceding month plus \$1.25 August through November, \$0.85 March through June, and \$1.05 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.35 and for March through June 1966 shall be \$4.15. "Zone 1" means all the territory in the counties of Humboldt, Wright, Franklin, Butler, Bremer, Webster, Hamilton, Hardin, Grundy, Black Hawk, and Buchanan, all in the State of Iowa.

#### PART 1079—MILK IN DES MOINES, IOWA, MARKETING AREA

11. Section 1079.50(b) is revised to read as follows:

##### § 1079.50 Basic formula and class prices.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus \$1.45 August through November, \$1.05 March through June, and \$1.25 in other months: *Provided*, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio: *And provided further*, That the Class I price for December 1965 and January and February 1966 shall be \$4.55 and for March through June 1966 shall be \$4.35. For milk received from approved dairy farmers at an approved plant outside the base zone the price otherwise applicable pursuant to this paragraph shall be reduced 10 cents.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

*Effective date.* December 1, 1965.

Signed at Washington, D.C., on November 26, 1965.

GEORGE L. MEHREN,  
Assistant Secretary.

[F.R. Doc. 65-12810; Filed, Nov. 30, 1965; 8:45 a.m.]

## Title 13—BUSINESS CREDIT AND ASSISTANCE

### Chapter I—Small Business Administration

[Amdt. 15 (Rev. 3)]

#### PART 107—SMALL BUSINESS INVESTMENT COMPANIES

##### Prohibited Uses of Funds

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there is amended, as set forth below, Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946-16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, and 14095, by amending § 107.715.

*Information and effective date.* Under the general prohibition contained in § 107.715(a) of the SBIC Regulation, no funds may be provided by a Licensee to a small business concern for relending or reinvesting activities. The present amendment adds a new subparagraph to § 107.715(a) which expressly declares that a Licensee may not furnish funds for use, directly or indirectly, in supplying initial or subsequent capital to a Licensee, or in repaying an indebtedness to accomplish such purpose.

Activities prohibited by the new subparagraph to § 107.715(a) are clearly contrary to the provisions of the Act which define and limit a Licensee's legitimate financing functions to long-term loans and equity investments required

for the sound financing, growth, modernization and expansion of small business concerns.

The present amendment does not impose any new restrictions but expresses established Agency policy based on mandatory requirements of the Act. The revision merely adds to § 107.715(a) a specific interpretative restatement of statutory limitations. In view of the foregoing, it is exempt from the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 1003). It would not serve any meaningful purpose, and it would be impracticable and contrary to the public interest, to adopt notice and public procedure thereon.

In view of the necessity of promptly applying the present amendment to the program authorized by the Small Business Investment Act of 1958, it shall become effective upon publication in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies are hereby amended by revising § 107.715(a). As amended, § 107.715(a) reads as follows:

##### § 107.715 Prohibited uses of funds.

No funds may be provided by a Licensee for:

(a) *Relending and reinvesting*—(1) *General.* Relending by the small business concern; nor may funds be provided to a small business concern if the business activity of such concern involves the investing, lending, or other providing of funds to others in exchange for an equity interest or monetary obligation;

(2) *Financing Licensees.* Use, directly or indirectly, in purchasing stock in or otherwise providing initial or subsequent capital for a Licensee, or repaying an indebtedness to accomplish such purpose: *Provided, however*, That the foregoing prohibition shall not apply to any purchase of stock made by any eligible small business concern, pursuant to § 107.507, in a Licensee from which it has received equity financing.

ROSS D. DAVIS,  
Executive Administrator.

[F.R. Doc. 65-12812; Filed, Nov. 30, 1965; 8:45 a.m.]

[Amdt. 16 (Rev. 3)]

#### PART 107—SMALL BUSINESS INVESTMENT COMPANIES

##### Equipment Leasing Concerns

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there is amended, as set forth below, Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946-16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, 14095, and 14850, by amending § 107.751 and adding a new § 107.1023.

*Information and effective date.* On October 22, 1965, notice of proposed rule-making was published in the FEDERAL

REGISTER (30 F.R. 13458) concerning amendment of the SBIC Regulation with regard to the financing of "equipment leasing concerns." After due and careful consideration of the comments received, the Administration has determined to adopt the formal amendment published herewith, incorporating the October 22, 1965, proposal, as being in furtherance of the best interests of the SBIC program.

The present amendment authorizes Licensees, within the limitation of the Special Discretionary Portfolio permitted under § 107.751(b)(5), to finance "equipment leasing concerns" which are unable to meet the requirements of § 107.715 (a) and (f). The official interpretation incorporated into new § 107.1023 describes the type of leasing concerns referred to. It also points out that small business concerns which perform rental operations ("rental service concerns") within the requirements of § 107.715 (a) and (f) are eligible for regular SBIC financing, without regard to the limitation of the Special Discretionary Portfolio under § 107.751(b)(5).

Insofar as it permits the financing of "equipment leasing concerns" within the limitation of the Special Discretionary Portfolio, new § 107.751(b)(5) relaxes previously existing restrictions under § 107.715 (a) and (f).

In view of the determination made by the Administration that it is necessary in the public interest that the present amendment shall be promptly applied to the program authorized by the Small Business Investment Act of 1958, it shall become effective upon publication in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies are hereby amended as follows:

1. By adding a new subparagraph (5) to § 107.751(b), which reads as follows:

§ 107.751 Special Discretionary Portfolio.

(b) *Investments permitted.* Notwithstanding otherwise applicable provisions of this Part 107 (which are hereinafter more specifically identified in subparagraphs of this paragraph), except restrictive provisions required under the Act, a Licensee may make the following types of investments up to the maximum authorized by paragraph (a) of this section:

(5) *Equipment leasing concerns.* Notwithstanding the provisions of § 107.715 (a) and (f), debt or equity financing of a small business concern which leases equipment or other personal property to others.

2. By adding a new § 107.1023, which reads as follows:

§ 107.1023 Equipment leasing concerns and rental service concerns (interpreting §§ 107.715 (a) and (f) and 107.751(b)(5)).

(a) *Equipment leasing concerns.* "Equipment leasing concerns", which are

unable to meet the requirements of § 107.715 (a) and (f), characteristically engage in the following transactions: Acquisition of special types of equipment or other personal property for a particular lessee; execution by the parties of a relatively long-term lease, with the lessee furnishing maintenance and repair; and provision for the lessee to obtain title at the end of the term. In many cases, useful life of the equipment or other leased chattel would ordinarily be exhausted over the period of the lease.

(b) *Rental service concerns.* "Rental service concerns" customarily maintain an inventory of equipment or other personal property continually rented and re-rented to different parties; their services are not substantially restricted to a single client concern; they possess physical facilities (or provide by contract) for maintenance and repair; rental is for a relatively short-term period, substantially less than the anticipated useful life of the equipment; and they ordinarily repossess the property at the conclusion of the term, with no provision for the client concern acquiring title, or at least none permitting acquisition at merely a nominal price.

(c) *SBIC financing permitted.* Licensees may finance "equipment leasing concerns", referred to in paragraph (a) of this section, only within the limitation of the Special Discretionary Portfolio permitted under § 107.751(b)(5). On the other hand, Licensees may invest in "rental service concerns" which meet the requirements of § 107.715 (a) and (f), without regard to the limitation of the Special Discretionary Portfolio prescribed under § 107.751.

Dated: November 24, 1965.

Ross D. DAVIS,  
Executive Administrator.

[F.R. Doc. 65-12813; Filed, Nov. 30, 1965; 8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. C-273]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Abby-Kent Co., Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties:* § 13.1053-30 *Flammable Fabrics Act.* Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Modified cease and desist order, Abby-Kent Co., Inc., et al., New York, N.Y., Docket C-273, July 9, 1965]

*In the Matter of Abby-Kent Co., Inc., a Corporation, and Eugene F. Coracci and Harry Grossman, Individually and as Officers of Said Corporation, and Irving Pollack, Individually*

Order modifying cease and desist order of November 29, 1962, 27 F.R. 12441, requiring New York City dress manufacturers to cease furnishing false guaranties that articles of wearing apparel including ladies' dresses and fabrics were not so highly flammable under the provisions of the Flammable Fabrics Act as to be dangerous when worn by individuals; the Commission modified by striking paragraphs numbered 1 and 2 of the original order.

The modified order to cease and desist is as follows:

*It is ordered,* That said proceedings be, and they hereby are, reopened and the Commission's order of November 29, 1962, be, and it hereby is, modified by striking therefrom paragraphs 1 and 2 so that the order will consist entirely of the paragraph numbered 3 in the Commission's original order.

Issued: July 9, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 65-12800; Filed, Nov. 30, 1965; 8:45 a.m.]

[Docket No. 8550 o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### American Music Guild, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.75 *Free goods or services:* § 13.155 *Prices:* 13.155-15 *Comparative:* § 13.240 *Special or limited offers:* § 13.285 *Value.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1625 *Free goods or services:* § 13.1747 *Special or limited offers:* § 13.1775 *Value:* Misrepresenting oneself and goods—Prices: § 13.1780 *Combination sales:* § 13.1785 *Comparative.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, American Music Guild, Inc., et al., Washington, D.C., Docket 8550, July 8, 1965]

*In the Matter of American Music Guild, Inc., a Corporation, Space-Tone Electronics Corp., a Corporation, Philip P. Connor, Jr., Individually and as an Officer of Both of Said Corporations, and Neil J. Cantor, and Ernest R. Brewington, Individually and as Officers of American Music Guild, Inc.*

Order requiring two Washington, D.C., retailers of stereophonic records and record players, which were adjudged bankrupt during the course of the Commission's proceeding, to cease making false savings, pricing, value, and free claims and from misrepresenting the manner in which the records could be selected and would be delivered and that offers were for a limited time and available only to specially selected persons.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents American Music Guild, Inc., a corporation, and Space-Tone Electronics Corp., a corporation, and their officers, and respondent Philip R. Connor, Jr., individually and as an officer of both of said corporations, and respondents Neil J. Cantor and Ernest R. Brewington, individually and as officers of American Music Guild, Inc., and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of phonographs, phonograph records, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication:

a. That any of respondents' products are free or without additional cost or charge; or otherwise misrepresenting that the offer is other than a combination offer to sell all of the items included in the offer.

b. That records, offered by respondents, are nationally advertised at a price higher than respondents' offering price, or are comparable in value to records currently selling or offered at a nationally advertised price.

c. That the "Senator" console phonograph or any other phonograph offered by respondents is manufactured to sell at, or is of a value of, any amount which is in excess of the price at which it or phonographs of comparable quality and components are being sold or offered for sale in the usual and regular course of business in the trade area in which respondents' offer is made.

d. That the customer may select the records to be delivered as part of a combination offer or that a specified number of records will be delivered within a specified period if in fact selection of the records is in any way made by respondents or if in practice the number of records delivered or the period within which delivery is to be made do not conform to prior representation.

e. That any offer to purchase is open for a limited time only, or is being offered to a limited number of people, or that those to whom the offer is made have been specially selected.

f. That by reason of membership in the American Music Guild, or for any other reason, savings or a discount are afforded a purchaser of respondents' merchandise off the usual and customary retail price, unless the price at which said merchandise is offered constitutes a reduction from the price at which substantial sales of said merchandise have been made at retail in the recent regular course of business in the trade area where the representation is made.

2. Misrepresenting the value of any item or items of any combination offer or of any of respondents' products.

*It is further ordered*, That respondents shall, within sixty (60) days after service upon them of this order, file with

the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 8, 1965.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 65-12801; Filed, Nov. 30, 1965;  
8:45 a.m.]

[Docket No. C-924]

### PART 13—PROHIBITED TRADE PRACTICES

#### Dana Importing Co., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-80 *Textile Fiber Products Identification Act*; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 *Textile Fiber Products Identification Act*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1400 *Dealer as manufacturer*; § 13.1475 *Location*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Dana Importing Co. et al., San Francisco, Calif., Docket C-924, July 30, 1965]

*In the Matter of Dana Importing Co., a Corporation Doing Business as Dana Inc., and Paul J. Tarnavsky, Alexander N. Gubert, and Joseph C. Choy, Individually and as Officers of Said Corporation*

Consent order requiring a San Francisco, Calif., importer and distributor of textile fiber products, to cease falsely labeling, invoicing, and advertising the fiber content of textile fiber products in violation of the Textile Fiber Products Identification Act by such practice as labeling certain textile products as 100 percent Polyester which contained substantially different fibers, and to cease misrepresenting the nature and locations of its business.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Dana Importing Co., a corporation, doing business as Dana, Inc., or under any other name or names, and its officers, and Paul J. Tarnavsky, Alexander N. Gubert, and Joseph C. Choy, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing, delivering for introduction, selling, advertising, or offering for sale, in commerce, or transporting or causing to be transported in commerce, or importing into the United States any textile fiber product; or selling, offering for sale, advertising, delivering, transporting or causing to be transported, any textile fiber product, which has been advertised or offered for sale in commerce; or selling, offering for sale, advertising, de-

livering, transporting, or causing to be transported, after shipment in commerce, any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act:

1. Which is falsely or deceptively stamped, tagged, labeled, invoiced, advertised or otherwise identified as to the name or amount of constituent fibers contained therein.

2. Unless each such product has securely affixed thereto, or placed thereon, a stamp, tag, label or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

*It is further ordered*, That respondents Dana Importing Co., a corporation, doing business as Dana, Inc., or under any other name or names and its officers, and Paul J. Tarnavsky, Alexander N. Gubert, and Joseph C. Choy, individually and as officers of the said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or indirectly that respondents are manufacturers, unless respondents own and operate, or directly and absolutely control a factory or manufacturing plant wherein their products are made.

2. Representing in any manner that respondents have a place of business in the Crown Colony of Hong Kong or misrepresenting in any manner the locations where the respondents have places of business.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 30, 1965.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 65-12802; Filed, Nov. 30, 1965;  
8:45 a.m.]

[Docket No. 7908 o.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Lloyd A. Fry Roofing Co., et al.

Subpart—Discriminating in price under Section 2, Clayton Act—Price discrimination under 2(a): § 13.715 *Charges and price differentials*; § 13.737 *Localized price cutting*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Lloyd A. Fry Roofing Co. et al., Summit, Ill., Docket 7908, July 23, 1965]

*In the Matter of Lloyd A. Fry Roofing Co., a Corporation, and Lloyd A. Fry, Sr., and Lloyd A. Fry, Jr., Individually and as Officers of Said Corporation*

Order requiring the nation's largest producer of asphalt roofing products located in Summit, Ill., to cease discriminating in price among its customers of asphalt saturated felt and asphalt strip shingles in violation of section 2(a) of the amended Clayton Act by using anti-competitive territorial price cuts to discipline small independent local competitors.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is further ordered*, That respondents Lloyd A. Fry Roofing Co., a corporation, Lloyd A. Fry, Sr., and Lloyd A. Fry, Jr., individually and as officers of said corporation, and other officers, representatives, agents and employees of said corporation, directly or through any corporate or other device, in connection with the sale or offering for sale of asphalt saturated felt and asphalt strip shingles in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such products of like grade and quality, by selling such products to any purchaser at a price which is lower than the price charged any other purchaser at the same level of distribution, where such lower price undercuts the lowest price offered to that purchaser by any other seller having a substantially smaller annual volume of sales of asphalt roofing products than respondents' annual volume of sales of those products.

*It is further ordered*, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 23, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 65-12803; Filed, Nov. 30, 1965; 8:45 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 970]

#### PART 95—CAR SERVICE

**Missouri Pacific Railroad Co. Authorized To Operate Over Trackage of the St. Louis-San Francisco Railway Co.**

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 23d day of November A.D. 1965.

It appearing, that the Missouri Pacific Railroad Co. has made application to the Commission, Finance Docket No. 23714 to purchase and/or acquire and operate over certain trackage of the St. Louis-San Francisco Railway Co., at Delta, Mo. This trackage which presently serves industries located on the St. Louis-San Francisco Railway Co. at Delta, Mo., is part of the trackage for which the Commission issued a certificate and order, Finance Docket No. 22369, authorizing the St. Louis-San Francisco Railway abandonment between Nash, Mo., and Pocahtontas, Ark. The St. Louis-San Francisco Railway Co. will cease operation over this line on December 1, 1965. The Commission is of the opinion that there is need for continued service to industries now served by the St. Louis-San Francisco Railway Co. at Delta, Mo., and that operation of this line by the Missouri Pacific Railroad Co., pending decision in Finance Docket No. 23714, will best promote the service in the interest of the public and the commerce of the people; and that notice and public procedure are impracticable and contrary to the public interest and that good cause exists for making this order effective upon less than 30 days' notice.

*It is ordered*, That:

#### § 95.970 Service Order No. 970.

(a) *Missouri Pacific Railroad Co. authorized to operate over trackage of the St. Louis-San Francisco Railway Co.* The Missouri Pacific Railroad Co. be, and it is hereby authorized to operate over and perform service over certain trackage of the St. Louis-San Francisco Railway Co. at Delta, Mo., described as follows: St. Louis-San Francisco Railway former main track between station 78260 and station 81580 a total distance of 3,320 feet; one siding, 1,080 feet; one connecting track, 762 feet; one spur track, 440 feet; to permit the Missouri Pacific Railroad Co. to serve shippers and receivers of rail freight located thereon, pending final disposition of the application filed under section 5(2) Finance Docket No. 23714.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic as well as to interstate traffic.

(c) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m., December 1, 1965.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1966, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15; Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

*It is further ordered*, That copies of this order and direction shall be served upon the Missouri Public Service Commission and upon the Association of

American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12818; Filed, Nov. 30, 1965; 8:46 a.m.]

#### SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[No. MC-C-258]

#### PART 170—COMMERCIAL ZONES

##### Kansas City, Mo.-Kansas City, Kans., Commercial Zone

At a session of the Interstate Commerce Commission, division 1, held at its Office in Washington, D.C., on the 12th day of November A.D. 1965.

It appearing, that on June 29, 1959, the Commission, division 1, made and filed its fourth report on further consideration in this proceeding, 81 M.C.C. 24, and order redefining the limits of the zone adjacent to and commercially a part of Kansas City, Mo.-Kansas City, Kans., contemplated by section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)).

It further appearing, that by joint petition filed June 1, 1964, Heart of America Council of Chambers of Commerce and others seek reopening and modification so as to include an additional area within the limits of the commercial zone of Kansas City, Mo.-Kansas City, Kans.;

And good cause appearing therefor:  
*It is ordered*, That said proceeding be, and it is hereby, reopened for further consideration.

*It is further ordered*, That § 170.8 as prescribed in the order entered in this proceeding on June 29, 1959 (49 CFR 170.8), be, and it is hereby, vacated and set aside, and the following revision is hereby substituted in lieu thereof:

##### § 170.8 Kansas City, Mo.-Kansas City, Kans.

The zone adjacent to and commercially a part of Kansas City, Mo.-Kansas City, Kans., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone is partially exempt from regulation under section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)), includes and is comprised of all points in the area bounded by a line as follows:

Beginning on the north side of the Missouri River at the western boundary line of Parkville, Mo., thence along the western and northern boundaries of Parkville to the Kansas City, Mo., corporate limits, thence along the western, northern, and eastern

corporate limits of Kansas City, Mo., to its junction with U.S. Bypass 71 (near Liberty, Mo.), thence along U.S. Bypass 71 to Liberty, thence along the northern and eastern boundaries of Liberty to its junction with U.S. Bypass 71 south of Liberty, thence south along U.S. Bypass 71 to its junction with the Independence, Mo., corporate limits, thence along the eastern Independence, Mo., corporate limits to its junction with the Lees Summit corporate limits, thence along the eastern Lees Summit corporate limits to the Jackson-Cass County line, thence west along Jackson-Cass County line to the eastern corporate limits of Belton, Mo., thence along the eastern, southern, and western corporate limits of Belton to the western boundary of Richards-Gebaur Air Force Base, thence along the western boundary of said air force base to Missouri Highway 150, thence west along Missouri Highway 150 to the Kansas-Missouri State line, thence north along the Kansas-Missouri State line to 110th Street, thence west along 110th Street to its junction with U.S. Highway 69, thence north along U.S. Highway 69 to its junction with 103d Street, thence west along 103d Street to its junction with Pflumm Road, thence north along Pflumm Road to Lenexa, Kans., thence

along the southern, western, and northern boundaries of Lenexa to Pflumm Road, thence north along Pflumm Road to its junction with Kansas Highway 10, thence west on Kansas Highway 10 to its junction with Kansas Highway 7, thence north on Kansas Highway 7 to Bonner Springs, Kans., thence along the southern and eastern boundaries of Bonner Springs to its junction with Kansas Highway 32, thence east on Kansas Highway 32 to its junction with 65th Street, thence north along 65th Street to its junction with U.S. Highway 24, thence east along U.S. Highway 24 to its junction with 64th Street Terrace, thence north along 64th Street Terrace to Parallel Road, thence west along Parallel Road to 81st Street, thence north along 81st Street to its junction with Kansas Highway 5, thence east along Kansas Highway 5 to 77th Street, thence north along 77th Street and its continuation, Pomeroy Drive, northwesterly to its junction with 79th Street, thence along 79th Street to its junction with Wolcott Drive at Pomeroy, Kans., thence due west 1.3 miles to its junction with an unnamed road, thence north along such unnamed road to the entrance to the Powell Port facility, thence due north to the southern bank of the Missouri River, thence east

along the southern bank of the Missouri River to a point directly across from the western boundary of Parkville, Mo., thence across the Missouri River to point of beginning.

(49 Stat. 546; as amended; 49 U.S.C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U.S.C. 302, 303)

*It is further ordered*, That this order shall become effective on December 31, 1965, and shall continue in effect until the further order of the Commission.

*And it is further ordered*, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, division 1.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-12826; Filed, Nov. 30, 1965; 8:46 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and  
Conservation Service

[ 7 CFR Part 815 ]

### ALLOTMENT OF 1966 DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

#### Notice of Hearing on Proposed Allotment

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended) and as further amended and extended by the Act enacted on November 8, 1965, hereinafter called the "Act", and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.), and on the basis of information before me, I do hereby find that the allotment of the direct-consumption portion of the 1966 mainland quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States, and hereby give notice that a public hearing will be held at Washington, D.C., in Room 2-W, Administration Building, U.S. Department of Agriculture, on December 3, 1965 at 9:15 a.m. (e.s.t.).

The findings made above are in the nature of preliminary findings based on the best information now available. The quantity of direct-consumption sugar which will be permitted to be brought into the continental United States within the 1966 quota is still unknown. However, the capacity of Puerto Rican refineries to produce direct-consumption sugar far exceeds the quantity of such sugar which may be marketed in the continental United States and for local consumption in Puerto Rico within probable 1966 quotas.

Under such circumstances it is imperative that provision be made for the allotment of the direct-consumption portion of the mainland quota to avoid disorderly marketing and to afford all interested persons an equitable opportunity to market direct-consumption sugar in the continental United States.

It will be appropriate to present evidence at the hearing on the basis of which the Secretary of Agriculture may affirm, modify, or revoke such preliminary findings and make or withhold allotment of the direct-consumption portion of the mainland quota in accordance therewith.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to make fair, efficient, and equitable allotments of the direct-consumption portion of the 1966 mainland quota among persons who produce or re-

fine and market direct-consumption sugar to be brought into the continental United States for consumption therein.

In addition, the subject and issues of this hearing also include (1) the manner in which the statutory factors of "processings", "past marketings", and "ability to market", as provided in section 205(a) of the Act, should be measured; and (2) the relative weightings which should be given to these factors.

Notice also is given hereby that it will be appropriate at the hearing to present evidence on the basis of which the Secretary may revise or amend the allotment of the direct-consumption portion of the mainland quota for the purposes of (1) allotting any increase, or decrease in the direct-consumption portion of the mainland quota; (2) allotting any deficit in the allotment for any allottee, and (3) substituting revised estimates of data or final actual data for estimates of such data wherever estimates are used in the formulation of an allotment of this portion of the quota.

I find that due to the limited time remaining in the calendar year within which sugar may be marketed under allotments in an orderly manner, an emergency exists which requires that less than 10 days published notice be given of the hearing and that the period of time given by this notice of hearing is reasonable under the circumstances.

Issued at Washington, D.C., this 26th day of November 1965.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 65-12899; Filed, Nov. 29, 1965;  
12:31 p.m.]

#### Consumer and Marketing Service

[ 7 CFR Part 1068 ]

[Docket No. AO-178-A15]

### MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

#### Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area. Interested parties may file

written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 3d day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

**Preliminary statement.** The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Minneapolis, Minn., on July 21-23, 1965, pursuant to notice thereof which was issued June 22, 1965 (30 F.R. 8227).

The material issues on the record of the hearing relate to:

1. Expansion of the marketing area;
2. Pool plant requirements;
3. Classification and pricing of milk used to produce cottage cheese;
4. Transfers;
5. Class I pricing;
6. Location adjustments;
7. Butterfat differentials and butterfat allowance in fluid skim milk;
8. Deletion of the base and excess plan; and
9. Administrative changes.

Action with respect to Issue 5 should be made effective as soon as possible. In order to accomplish this, this decision is confined to Issue 5 and the remaining issues will be dealt with in a separate decision at a later date.

**Findings and conclusions.** The following findings and conclusions on material issue 5 are based on evidence presented at the hearing and the record thereof:

**5. Class I price—(a) Level of Class I price differential.** The present class I price differential should be increased 10 cents through June 1966.

Producer associations proposed that the Class I differential be permanently increased 10 cents per hundredweight. Witnesses representing cooperatives and individual producers who also testified stated that this increase was necessary to reflect the increased costs of producing milk. They testified that while the various costs of producing milk have increased substantially during recent years, the Class I pricing provisions have not been amended to reflect these increased costs.

Any change in the level of the Class I price must be justified under the pricing standards of the Agricultural Marketing Agreement Act of 1937, which authorizes the issuance of milk orders. The Act requires that the Secretary establish the Class I price at a level which will reflect certain economic factors which affect the market supply and demand for milk in the marketing area, insure a sufficient quantity of pure and

wholesome milk, and be in the public interest.

Until recently supplies of fluid milk have been fully adequate to meet the Class I needs of the market. In 1963 and 1964 producer milk utilized in Class I was 62 and 63 percent, respectively, of total producer receipts. However, producer milk utilized in Class I has increased markedly during August, September, and October 1965 compared with the same months in 1964. Official notice is taken of the statistics published by the market administrator for these months. Average Class I utilization of producer milk in the months of August, September, and October 1965 was 72 percent, 85 percent, and 86 percent, respectively. During the same months in 1964 the comparable utilization was 68 percent, 77 percent, and 73 percent. Thus the average Class I utilization of producer milk for the period was 81 percent in 1965 and 73 percent in 1964. This increased utilization is the result of an increase in Class I sales together with a decrease in supplies.

In recent months there has been an abnormal drop in the production of individual producers. Average daily deliveries per producer in September and October 1964 were 824 and 857 pounds, respectively. The comparable deliveries in 1965 were 802 and 792 pounds. This is a reduction of slightly over 5 percent and a reversal of the long-term production trend in the market.

Production has been lower in September and October 1965 compared with the same months in the previous year throughout the States of Minnesota and Wisconsin. Official notice is taken of the September and October 1965 issues of the U.S. Department of Agriculture publication "Milk Production". Total production in Minnesota was down 5 percent in September and 7 percent in October 1965 compared with the same months in 1964. In Wisconsin the comparable decreases in production were 1 percent and 6 percent.

To help maintain present production and insure a sufficient quantity of pure and wholesome milk in view of these developments, the Class I price should be increased 10 cents per hundredweight through June 1966. This increase will encourage higher levels of grain feeding by producers and reduce the number of cows culled from their herds.

(b) *Supply-demand formula.* The computation of the supply-demand ratio and the table of standard percentages or "norms" should be revised.

Producers proposed that the actual pounds of Class I cream sales be used in determining total Class I demand rather than the present method of converting cream sales to a 3.5-percent milk equivalent. They proposed that the standard percentages be revised to reflect this change.

Use of the actual pounds of Class I product disposed of by regulated handlers will afford a better gauge of the demand for Class I milk than does the present practice of combining the actual pounds of product other than cream with

the whole milk equivalent of the butterfat in cream disposed of as Class I.

When the present method of computing supply-demand norms was adopted, the average butterfat content of fluid milk products other than cream approximated 3.5 percent. The average test of all Class I including cream was substantially in excess of 3.5 percent. Thus the actual product pounds did not reflect the volume of whole milk actually needed to supply the total Class I requirements of the market.

In recent years consumer preference has changed. The demand for skim milk and low fat milk has increased substantially. Sales of light cream and "half and half" have increased at the expense of heavy cream. As a result the average test of all Class I milk is now below 3.5 percent in all months of the year. The pounds of product actually disposed of as Class I milk represent the entire demand for both skim milk and butterfat for such use. Adding the milk equivalent of the butterfat in cream to the pounds of product disposed of in other Class I items, now results in an inflated demand figure which is not truly representative of the actual requirements of the market. It is likely that this trend to lower butterfat content will continue in the foreseeable future. The order should be changed to reflect the current marketing situation.

The supply-demand norms were last revised on September 1, 1957. A comparison of the two methods of computing the Class I volume has been made for that year and the year immediately preceding and immediately following. Official notice is taken of the reports of the market administrator for the years 1956, 1957, and 1958.

Using the present method of computation, the current supply-demand ratio averaged 77.7 percent in 1956. In 1957, it averaged 72.4 percent, and in 1958 was 74.0 percent. Had actual product pounds of Class I been used rather than the milk equivalent of the cream, the supply-demand ratios for the same years would have averaged 68.0, 63.2, and 64.5 percent, respectively, an average difference of 9.5 percent.

The annual average of the supply-demand norms in the present order is 77.0 percent. To reflect the same supply-demand conditions which prevailed in 1956, 1957, and 1958, the attached order provides norms with an annual average of 67.5 percent, based on actual product pounds of Class I. Under the supply-demand norms effective for the period 1956-58, the Class I price was increased an average of 3.3 cents in 1956. In 1957 and 1958 it was decreased an average of 1.63 and 4.5 cents, respectively. Had the attached order been effective in the same period, the average Class I differential would have been increased 1.0 cent in 1956, and decreased 6.5 cents in 1957, and 4.5 cents in 1958.

In 1962, 1963, and 1964, the order resulted in annual average monthly deductions of 12.875, 10.375, and 9.25 cents, respectively. Had the attached order been in effect the deductions would have

averaged 11.625, 8.625, and 7.25 cents, respectively.

For the first 9 months of 1965 the average supply-demand adjustment was minus 9.5 cents. Had the attached order been effective, the adjustment would have been minus 8.7 cents. Thus had the supply-demand ratio been based on actual product pounds of Class I milk, the Class I price in recent years would have averaged approximately 1.5 cents higher than the price which prevailed.

Producers also proposed that the table of standard percentages be revised to eliminate the present contraseasonality in the supply-demand adjuster. During the past few years the supply-demand formula has resulted in considerably larger reductions of the Class I price during the late summer and fall months when the market's supply has been shortest than during the months of flush production. This is undoubtedly a result of the shift in seasonality of supplies brought about by the base and excess plan. At the same time, however, such contraseasonal adjustments tend to impede improvement of the seasonal production pattern. In 1962, for example, the average supply-demand adjustment was minus 9 cents for April, May, and June but was minus 17 cents for September, October, and November. During 1963, for the same months, the reduction averaged 7.0 and 15.5 cents, respectively, and in 1964 the figures were 7.5 and 12.0. Had the revised supply-demand formula provided herein been in effect, the average deduction in April, May, and June 1962 would have been 14.5 cents and the average for September, October, and November would have been 9.0 cents. During 1963 the average deductions would have been 12.0 and 7.5 cents, respectively. In 1964 the average adjustment would have been minus 12 cents in April, May, and June, but minus 3.5 cents in September, October, and November.

The following standard percentages have been constructed to eliminate the contraseasonality of the present standard percentages and, also, to reflect the change in computing Class I cream sales previously discussed:

| Months to which applicable | Standard percentages | Months used in computing current supply-demand ratio |
|----------------------------|----------------------|------------------------------------------------------|
| January.....               | 77                   | October-November.                                    |
| February.....              | 72                   | November-December.                                   |
| March.....                 | 68                   | December-January.                                    |
| April.....                 | 68                   | January-February.                                    |
| May.....                   | 67                   | February-March.                                      |
| June.....                  | 66                   | March-April.                                         |
| July.....                  | 60                   | April-May.                                           |
| August.....                | 57                   | May-June.                                            |
| September.....             | 57                   | June-July.                                           |
| October.....               | 66                   | July-August.                                         |
| November.....              | 75                   | August-September.                                    |
| December.....              | 77                   | September-October.                                   |

It is concluded that these standard percentages will provide an appropriate basis for adjustments of the Class I price in this market as supply and demand conditions change and, therefore, should be adopted.

Producers further proposed that adjustments be made to offset the decrease in Class I prices resulting from one of

the amendments which became effective August 1. The proposed adjustment would amount to about 3 cents per hundredweight on the Class I price. The August 1964 amendment provided that only the volume of product actually disposed as fortified fluid milk would be classified as Class I instead of the full skim equivalent of such products.

This proposed amendment should not be adopted. Use of the skim milk equivalent of nonfat milk solids in fortified products resulted in a quantity of milk classified in Class I which exceeded the actual quantity of product. The previous method of accounting thus resulted in inflating the amount of Class I milk beyond actual disposition as Class I.

Since the quantity attributable to fortified products was an unreal quantity, it is not necessary to provide for it in the supply-demand adjuster. It has been found elsewhere in this decision that the amendments included herein provide sufficient price incentive to assure an adequate supply of milk for this market.

**Rulings on proposed findings and conclusions.** Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions, and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

**General findings.** The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth therein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the re-

spective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

**Recommended marketing agreement and order amending the order.** The following order amending the order as amended regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. In § 1068.52 paragraph (b) is revised to read as follows:

**§ 1068.52 Supply and demand ratio.**

(b) Determine the total pounds of milk and milk products disposed of from pool plants as Class I (excluding shrinkage and unaccounted for milk) during the same 2 months; and

2. Section 1068.53 is revised to read as follows:

**§ 1068.53 Class I price.**

Subject to the differentials provided in §§ 1068.55 and 1068.56(a), the price per hundredweight for Class I milk each month shall be the basic formula price for the preceding month computed pursuant to § 1068.51 plus an amount as follows: \$1.00 for July, August, September, October, and November; \$0.76 for other months; *Provided*, That prior to July 1, 1966, \$0.86 shall be added to the basic formula price in lieu of the above amounts; *And provided further*, That whenever the current supply-demand ratio varies from that set forth in the table below, the Class I price shall be increased or decreased 1.5 cents for each full percentage point that the current supply-demand ratio is above or below that set forth in the table, but such price shall not be increased or decreased more than 24 cents for any month because of the current supply-demand ratio:

| Months to which applicable | Standard percentages | Months used in computing current supply-demand ratio |
|----------------------------|----------------------|------------------------------------------------------|
| January.....               | 77                   | October-November.                                    |
| February.....              | 72                   | November-December.                                   |
| March.....                 | 68                   | December-January.                                    |
| April.....                 | 68                   | January-February.                                    |
| May.....                   | 67                   | February-March.                                      |
| June.....                  | 66                   | March-April.                                         |
| July.....                  | 60                   | April-May.                                           |
| August.....                | 57                   | May-June.                                            |
| September.....             | 57                   | June-July.                                           |
| October.....               | 66                   | July-August.                                         |
| November.....              | 75                   | August-September.                                    |
| December.....              | 77                   | September-October.                                   |

Signed at Washington, D.C., on November 26, 1965.

CLARENCE H. GIRARD,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 65-12848; Filed, Nov. 30, 1965; 8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

### TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

#### p-Chlorophenoxyacetic Acid; Notice of Proposal To Establish Tolerance

The Chun King Corp., Post Office Box 206, Duluth, Minn., 55801, has presented a petition (PP 2F0360) to the Food and Drug Administration requesting that action be taken to establish a tolerance of 2 parts per million for residues of p-chlorophenoxyacetic acid in or on mung bean sprouts, when used as a plant regulator to inhibit embryonic root development.

The Secretary of Agriculture has advised that this pesticide chemical is useful for the purpose proposed.

Data in the petition indicate that the residues in or on mung bean sprouts from use of p-chlorophenoxyacetic acid as proposed do not exceed 2 parts per million, that these residues will not constitute a hazard to man, and that the proposed regulation will protect the public health.

After consideration of the data submitted in the petition, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 512; 21 U.S.C. 346a (e)), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.90), it is proposed by the Commissioner, in accordance with the request set forth above, that the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120) be amended as set forth below:

1. By inserting after the item "Chlorobenzilate \* \* \*" in paragraph (e)(4) of § 120.3 *Tolerances for related pesticide chemicals*, the new item:

p-Chlorophenoxyacetic acid.

2. By adding to Part 120 the following new section:

#### § 120. p-Chlorophenoxyacetic acid; tolerance for residues.

A tolerance of 2 parts per million is established for residues of p-chlorophenoxyacetic acid in or on mung bean sprouts, from use as a plant regulator on the beans to inhibit embryonic root development.

Any person who has registered or who has submitted an application for the registration under the Federal Insecticide, Fungicide, and Rodenticide Act of an economic poison containing p-chlorophenoxyacetic acid may request, within 30 days from the publication of this proposal in the *FEDERAL REGISTER*, that the

proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on the proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: November 26, 1965.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 65-12900; Filed, Nov. 30, 1965;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 71-90]

[Docket No. 3666; Notice 70]

### EXPLOSIVES AND OTHER DANGEROUS ARTICLES

#### Transportation

NOVEMBER 18, 1965.

On January 28, 1964, the Commission published in the FEDERAL REGISTER for public comment under Notice No. 62, Docket 3666, proposed miscellaneous amendments to 49 CFR Parts 71-78. The proposed amendments would add a definition of fissile radioactive material, Group IV, and would include appropriate amendments to other sections of the regulations to deal with nuclear safety in the transport of fissile radioactive materials.

A number of comments have been received in response to Notice No. 62 regarding the relationship between ICC regulations and Atomic Energy Commission regulations pertaining to nuclear safety in the transport of radioactive materials. These comments were directed to the requirement for AEC approval under §§ 73.393 and 73.414. After review of the comments received, it has been decided to modify the proposed amendments by deleting reference to the requirement for approval by the AEC in those sections as well as the other sections in the amendment which deal with labeling of Group IV fissile radioactive material.

Section 73.393(k) of the modified proposed amendment requires shipments of fissile radioactive material of 15 grams or more, except as otherwise specifically provided therein, to be approved by the Interstate Commerce Commission.

The proposed amendments herein modify and supersede those publicized in Notice No. 62. Any party desiring to make representations in favor of or against the proposed amendments may do so through the submission of written data, views, or arguments. The original and five copies of such submission may

be filed with the Commission on or before December 16, 1965. The proposed amendments are subject to change or changes that may be made as a result of such submissions.

Notice to the general public will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection, and by filing a copy of the notice with the Director, Office of the Federal Register.

(62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834)

By the Commission, Explosives and Other Dangerous Articles Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

| Articles                                  | Classed as    | Exemptions and packing          | Label required if not exempt                                        | Maximum quantity in 1 outside container by rail express |
|-------------------------------------------|---------------|---------------------------------|---------------------------------------------------------------------|---------------------------------------------------------|
| Add Fissile radioactive materials, n.o.s. | Poison D..... | See sec. 73.392, 73.393, 73.394 | Poison Fissile radioactive materials Red (see [73.414 (a) or (c)]). | See [73.391(d)].                                        |

### PART 73—SHIPPERS

#### Subpart G—Poisonous Articles; Definition and Preparation

In § 73.391 amend the introductory text of paragraph (a); add paragraph (a) (4); amend paragraph (b); add paragraph (d) (29 F.R. 18766, Dec. 29, 1964) to read as follows:

#### § 73.391 Radioactive materials, class D Poison; definition.

(a) For the purpose of Parts 71-79 of this chapter, radioactive materials are any material or combination of materials that spontaneously emits ionizing radiation. For the purpose of Parts 71-79 of this chapter, radioactive materials are divided into four groups.

(4) *Group IV.* Fissile radioactive materials are those materials capable of capturing thermal neutrons and thereupon splitting into two or more particles producing fission fragments, neutrons, and gamma rays. For the purpose of these regulations, fissile radioactive materials shall be uranium 235 except when contained in natural or depleted uranium, uranium 233, and plutonium provided that the total amount of these radioisotopes packaged in one outside container is equal to, or exceeds, 15 grams (see Notes 1 and 2). Group IV fissile radioactive material is classified according to the controls needed to prevent criticality during transport as follows:

(i) *Fissile Class I.* Packages which, because of quantity limits and packaging design, are safe from criticality in any arrangement and in any number and require no nuclear safety controls during transport.

(ii) *Fissile Class II.* Packages which, because of quantity limits and packaging design, are safe from criticality in any arrangement but in limited numbers, and nuclear safety is assured in transport by the use of a calculated radiation unit number placed on the label of the package. This radiation unit number is obtained by dividing 40 by the number of

### APPENDIX A

#### PART 72—COMMODITY LIST OF EX- PLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71-79 OF THIS CHAPTER

Amend § 72.5 paragraph (a) Commodity List (29 F.R. 18659, Dec. 29, 1964) as follows:

#### § 72.5 List of explosives and other dangerous articles.

(a) \* \* \*

similar packages which may be transported together. However, no such package for which the calculated radiation unit number is greater than 10 may be offered to a carrier for transportation nor be transported.

(iii) *Fissile Class III.* Shipments of packages which do not meet the requirements of Fissile Class I or Fissile Class II and which are controlled in transport by special arrangements.

NOTE 1: For the purpose of these regulations, materials classified as Group IV fissile radioactive materials shall not, in addition, be classified as Group I, Group II, or Group III Radioactive Materials.

NOTE 2: For the purpose of these regulations, materials consisting of less than 15 grams of plutonium, uranium 233, uranium 235 or any quantity of natural or depleted uranium shall not be classified as Group IV fissile radioactive material, but instead shall be classified as Group I, Group II, or Group III radioactive materials in accordance with the nature of the emitted rays.

(b) Not more than 2,000 millicuries of radium, polonium, or other members of the radium family of elements, nor more than 2,700 millicuries (disintegration rate of 100,000 million (10<sup>10</sup>) atoms per second) of any other radioactive material Group I, II or III may be packaged in one outside container for shipment by rail freight, rail express, or highway, except as specifically provided in paragraph (c) of this section, or by special arrangement and under conditions approved by the Bureau of Explosives.

(d) No Group IV fissile radioactive material may be shipped except as provided in § 73.393(k).

In § 73.392 amend paragraphs (a) (2) and (c) (29 F.R. 18766, Dec. 29, 1964) to read as follows:

#### § 73.392 Exemptions for radioactive materials.

(a) \* \* \*

(2) The package must contain not more than 0.1 millicurie of radium, or polonium; or that amount of strontium 89, strontium 90, or barium 140 which

disintegrates at a rate of more than 5 million atoms per second; or that amount of any other radioactive substance which disintegrates at a rate of more than 50 million atoms per second; or not more than 15 grams of uranium 235.

(c) Radioactive materials such as ores, residues, salts of natural uranium and thorium, etc., of low activity packed in strong tight containers are exempt from specification packaging and labeling requirements for shipments in car-load lots by rail freight only, provided the gamma radiation or equivalent must not exceed 10 milliroentgens per hour at a distance of 12 feet from any surface of the car, including the top and bottom surfaces, and that the gamma radiation or equivalent must not exceed 10 milliroentgens per hour at a distance of 5 feet from either end surface of the car. There must be no loose radioactive material in the car and the shipment must be braced so as to prevent leakage or shift of lading under conditions normally incident to transportation. The car must be placarded by the shipper as provided in §§ 74.541(b) and 74.553 of this chapter. Except when handling is supervised by the Atomic Energy Commission, shipments must be loaded by the consignor or his duly authorized agent and unloaded by the consignee or his duly authorized agent.

In § 73.393 amend the introductory text of paragraph (f); amend the introductory text of paragraph (h); amend paragraph (i); redesignate paragraph (k) as paragraph (l); add new paragraph (k) (29 F.R. 18767, Dec. 29, 1964) to read as follows:

§ 73.393 Packing and shielding.

(f) The outside shipping container for any radioactive material Groups I, II, and III, unless specifically exempt by § 73.392 or unless approved by the Bureau of Explosives, shall be as follows:

(h) Radioactive materials Group II and IV, liquid, solid, or gaseous, must be packed in suitable inside containers completely shielded so that at any time during transportation the radiation measured at right angles to any point on the long axis of the shipping container will not exceed the limits specified in subparagraphs (1) to (4) of this paragraph. The shielding must be designed so as to maintain its efficiency under conditions normally incident to transportation and must provide personnel protection against fast or slow neutrons and all other ionizing radiation originating in the radioactive materials or any part of the aggregate constituting the complete package.

(i) Liquid radioactive materials Groups I, II, III, and IV must, in addition, be packed in tight glass, earthenware, or other suitable inside containers. The inside containers must be sur-

rounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and of such nature that its efficiency will not be impaired by chemical reaction with the contents. Where use of shielding is necessary to reduce radiation to limits prescribed by this section, the absorbent cushioning material must be placed within the shield. If the container is packed in a metal container specification 2R or other container approved by the Bureau of Explosives, the absorbent cushioning is not required.

(k) Fissile radioactive materials, Group IV, liquid, solid, or gaseous, for shipment by rail freight, rail express or highway must be packed in containers specifically approved for this purpose and be shipped by special arrangement under conditions approved by the Commission subject to the requirements of subparagraph (1) of this paragraph except that Fissile Class II radioactive materials (see § 73.391(a)(4)) packaged as prescribed in subparagraph (5) of this paragraph are not subject to this requirement.

(1) Application for approval of shipments of fissile radioactive material must be submitted to the Director, Bureau of Operations and Compliance, Interstate Commerce Commission, Washington, D.C., and shall, except as otherwise provided in paragraph (k)(3) of this section, include the following (Application may be submitted through the Bureau of Explosives):

(i) Detailed information describing the container; or the Bureau of Explosives permit number assigned the container indicating approval by the Bureau of Explosives.

(ii) Type and amount of fissile radioactive material which is to be carried in each package.

(iii) Nuclear safety evaluation demonstrating that the container design and labeling, limitation on its contents, and any controls to be exercised during transport are adequate to avoid criticality.

(2) Application for approval of shipments of Fissile Class III radioactive material moving in whole or in part by motor vehicle shall, in addition to the requirements of paragraph (k)(1) of this section, specify the following:

(i) Name of originating carrier and connecting carriers.

(ii) Description of specific measures to assure adequate awareness of hazards and provisions to guard against such hazards being communicated to each participating carrier and its employees including at least instructions with respect to separation of shipment from other shipments, methods of securing container, instruction with respect to vehicle surveillance, placarding, provisions to notify required personnel in event of emergency.

(3) In application for approval of shipments of fissile radioactive material for shipments by an Atomic Energy Commission licensee or for shipments made for that Commission, reference to the license issued by the Atomic Energy Commission or a letter of approval by

that Commission, as appropriate, will satisfy the requirements of paragraph (k)(1) of this section.

(4) Shipments of fissile radioactive material in containers approved and under conditions authorized by the Bureau of Explosives prior to \_\_\_\_\_

(Effective date of order) may continue until further order of the Commission.

(5) Spec. 6L (§ 78.103 of this chapter). Metal, fissile radioactive material (Class II) container. Authorized only for not more than 15 kilograms of uranium at a uranium 235 enrichment of 93½ percent or less, as metal, oxide, or compounds or alloys which will not decompose at 400° C. The atomic ratio of hydrogen to uranium 235 shall not exceed three. Each container shall be shipped as Fissile Class II and be assigned not less than one (1) radiation unit. Authorized gross weight of inside spec. 2R container not to exceed 225 pounds.

(i) In determining compliance with requirements of paragraphs (e), (g), (h), and (j) of this section, measurements of radiation must be made with a Landsverk Electrometer Model L-75 or equally efficient standardized meter.

In § 73.394 amend paragraphs (a), (b); add paragraph (d) (29 F.R. 18767, Dec. 29, 1964) to read as follows:

§ 73.394 Radioactive materials labels.

(a) Each outside container of Group I and Group II radioactive materials, and Group IV fissile radioactive materials, unless exempt by § 73.392, must be labeled with a properly executed label as described in § 73.414 (a) or (c).

(b) Each outside container of Group III radioactive materials must, unless exempt by § 73.392, be labeled with a properly executed label as described in § 73.414 (b) or (c)(1).

(d) Radioactive materials having other hazardous characteristics, as defined elsewhere in Part 73, must have the outside shipping container labeled with all labels as required by these regulations according to the hazards of the commodity.

Subpart H—Marking and Labeling Explosives and Other Dangerous Articles

In § 73.402 amend paragraph (a)(8) (29 F.R. 18768, Dec. 29, 1964) to read as follows:

§ 73.402 Labeling dangerous articles.

(a) \* \* \* (8) "Radioactive Materials" label as described in § 73.414 (a) or (c) on containers of Group I and Group II radioactive materials, and Group IV fissile radioactive materials, except when exempted by § 73.392.

In § 73.414 amend the introductory text of paragraph (a), and amend the label title now reading "Label for Radioactive Materials Group I or II" to read "Label for Group I or Group II Radioactive Materials or Group IV Fissile Ra-

dioactive Materials"; amend Note 1 following label in paragraph (a) and add Note 2 thereafter; amend the introductory text of paragraph (b), and amend the label title now reading "Label for Radioactive Materials Group III", to read "Label for Group III Radioactive Materials"; amend the introductory text of paragraph (c), and Note 1 following the label and add Note 2 thereafter; amend paragraph (c) (1) (29 F.R. 18772, Dec. 29, 1964) to read as follows:

§ 73.414 - Radioactive materials labels.

(a) Labels for Group I and Group II radioactive materials, and Group IV fissile radioactive materials (see Note 1) must be diamond shape, white in color, and with each side 4 inches long. Printing must be in red letters inside of a red-line border measuring 3½ inches on each side, as shown in this section.

NOTE 1: Labels when used for the shipment of Group IV fissile radioactive materials must be over stamped or otherwise marked "Group IV" in a contrasting color.

NOTE 2: This label must be duly executed by the shipper and the number of radiation units must be shown. For the purpose of these regulations, 1 unit equals 1 milliroentgen per hour at one meter from the radioactive source for hard gamma radiation or the amount of radiation which has the same effect on film as 1 mr/hr of hard gamma rays of radium filtered by one-half inch of lead. For Group IV fissile radioactive materials, Fissile Class II, the number of radiation units shall be the larger of the following:

(i) The number of radiation units of gamma radiation, as defined herein; or  
(ii) the number of radiation units designated in § 73.393(k) (5) or in the individual approval or permit.

(b) Labels for Group III radioactive materials must be of diamond shape, white in color, and with each side 4 inches long. Printing must be in blue letters inside of a blue-line border measuring 3½ inches on each side, as shown in this section.

(c) Label for Group I and Group II radioactive materials, and Group IV fissile radioactive materials (see Note 1) for shipment by air.

NOTE 1: Labels when used for the shipment of Group IV fissile radioactive materials must be over stamped or otherwise marked "Group IV" in a contrasting color.

NOTE 2: This label must be duly executed by the shipper and the number of radiation units must be shown. For the purpose of these regulations, 1 unit equals 1 milliroentgen per hour at one meter from the radioactive source for hard gamma radiation or the amount of radiation which has the same effect on film as 1 mr/hr of hard gamma rays of radium filtered by one-half inch of lead. For Group IV fissile radioactive materials, Fissile Class II, the number of radiation units shall be the larger of the following:

(i) The number of radiation units of gamma radiation, as defined herein; or  
(ii) the number of radiation units designated in § 73.393(k) (5) or in the individual approval or permit.

(1) Label for Group III radioactive materials for shipment by air.

## PART 74—CARRIERS BY RAIL FREIGHT

### Subpart A—Loading, Unloading, Placarding and Handling Cars; Loading Packages Into Cars

In § 74.532 paragraph (j) (2) add Note 2 (29 F.R. 18779, Dec. 29, 1964) to read as follows:

§ 74.532 Loading other dangerous articles.

(j) \* \* \*  
(2) \* \* \*

NOTE 2: For Group IV fissile radioactive materials the number of radiation units shown on the label may not indicate external radiation levels but instead may be the number obtained by dividing 40 by the number of similar packages which may be transported together to assure safety from criticality in shipment.

In § 74.586 paragraph (h) (2) Table add Note 3 (F.R. 18788, Dec. 29, 1964) to read as follows:

§ 74.586 Handling explosives and other dangerous articles.

(h) \* \* \*  
(2) \* \* \*

NOTE 3: For group IV fissile radioactive materials the number of radiation units shown on the label may not indicate external radiation levels but instead may be the number obtained by dividing 40 by the number of similar packages which may be transported together to assure safety from criticality in shipment.

## PART 75—CARRIERS BY RAIL EXPRESS

In § 75.655 paragraph (j) (2) Table add Note 3 (29 F.R. 18794, Dec. 29, 1964) to read as follows:

§ 75.655 Protection of packages.

(j) \* \* \*  
(2) \* \* \*

NOTE 3: For Group IV fissile radioactive materials the number of radiation units shown on the label may not indicate external radiation levels but instead may be the number obtained by dividing 40 by the number of similar packages which may be transported together to assure safety from criticality in shipment.

## PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRI- VATE CARRIERS BY PUBLIC HIGH- WAY

### Subpart B—Loading and Unloading

In § 77.841(d) (1) Table add Note 3 (29 F.R. 18804, Dec. 29, 1964) to read as follows:

§ 77.841 Poisons.

(d) \* \* \*  
(1) \* \* \*

NOTE 3: For Group IV fissile radioactive materials the number of radiation units shown on the label may not indicate external radiation levels but instead may be the number obtained by dividing 40 by the number of similar packages which may be transported together to assure safety from criticality in shipment.

## PART 78—SHIPPING CONTAINER SPECIFICATIONS

### Subpart D—Specifications for Metal Barrels, Drums, Kegs, Cases, Trunks and Boxes

In Part 78 add the following sections (29 F.R. 18812, Dec. 29, 1964):

§ 78.103 Specification 6L; metal, radioactive material, fissile Class II, container.

§ 78.103-1 Compliance.

(a) Required in all details.

§ 78.103-2 General requirements.

(a) Outside container must conform to specification 6J (§ 78.100) 55-gallon capacity steel drum, except as otherwise specified herein. Removable head shall be constructed of 16 gauge steel with one or more corrugations in the cover near the periphery.

(b) Inner container must conform to specification 2R (§ 78.34), with maximum useable inside diameter of 5¼ inches, maximum length of 28 inches, minimum wall thickness of one-fourth inch. Material shall be of Schedule 40 steel pipe. Closure shall be by end caps, threaded with American Standard Pipe Threads, except that bottom may consist of welded steel plate, not less than ¼-inch thick. Cap to be securely tightened with at least 5 threads engaged. Pipe threads shall be lubricated with tape dope or other pipe joint compound to prevent leakage of water or loosening of cap due to vibration.

(c) Inner container shall be provided with not less than four steel rod spacers, of ¼-inch cold rolled steel, welded to the pipe at each end by minimum two-inch continuous weld. Weld locations shall be such as not to interfere with closure of inner container. Each spacer rod shall extend beyond the top and bottom of the internal spec. 2R container to contact the top and bottom heads of the outer container, then extending the length of the inner wall of the outer container for the full inner dimension so as to provide a spring-like snug fit.

(d) The void between the inner and outer container shall be filled with vermiculite (expanded mica) using 40 pounds of 4.5 pounds per cubic foot mesh.

§ 78.103-3 Welding.

(a) Welding shall be in a workman-like manner and be of material having a melting point in excess of 1000 degrees

Fahrenheit with joint efficiency of not less than 85 percent.

#### § 78.103-4 Closure.

(a) The outer container closure shall be by bolt-locking ring clamp utilizing not less than 3/8-inch steel bolt and a lock nut, or equivalent device, to prevent loosening of the bolt due to vibration. Tamper-proof seal shall be applied.

#### § 78.103-5 Markings.

(a) Markings on each container, by die stamping on a metal plate attached to the outside of the outer container by spot welding, or other equally efficient method,

in letters and figures at least one-fourth inch in height, as follows:

(1) ICC-6L. These marks shall be understood to certify that the container complies with all specification requirements.

(2) The words "Fissile Material Class II."

(3) The name or symbol (letters) of maker, or user, assuming responsibility for compliance with specification requirements; this must be registered with the Bureau of Explosives.

(4) Serial number or other individual identification.

#### APPENDIX B-I

| Page | Section | Paragraph    | Reason for amendment                                                                                                                                                                                      |
|------|---------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1    | 72.5    | (a)          | To furnish commodity description for fissile radioactive materials.                                                                                                                                       |
| 1-2  | 73.391  | (a), (a) (4) | To provide and define new Group IV fissile radioactive materials.                                                                                                                                         |
| 2    | 73.391  | (b)          | To rearrange the exception clause to the quantity limitations.                                                                                                                                            |
| 3    | 73.392  | (a) (2)      | To provide exemption for not more than 15 grams of uranium-235.                                                                                                                                           |
| 3    | 73.392  | (c)          | To clarify that radiation readings from any surface of the container include the top and bottom surfaces.                                                                                                 |
| 2    | 73.393  | (f)          | To specify that containers prescribed are for Groups I, II, and III radioactive materials.                                                                                                                |
| 3-4  | 73.393  | (b), (i)     | To make inside container requirements applicable to Group IV fissile radioactive materials.                                                                                                               |
| 3    | 73.391  | (d)          | To require shipments of fissile radioactive materials be approved by the Commission except as otherwise provided; to authorize the use of new spec. 6L metal container for limited quantities of uranium. |
| 4-5  | 73.393  | (k)          | Formerly paragraph (k). Redesignated due to addition of new paragraph (k).                                                                                                                                |
| 1    | 73.393  | (L)          | To prescribe labels for containers of fissile radioactive materials, and to include reference to the label prescribed for air shipments.                                                                  |
| 1    | 73.394  | (a)          | The group number has been positioned to precede "radioactive materials" to be consistent with similar rearrangement in paragraph (a); to include reference to the label prescribed for air shipments.     |
| 1    | 73.394  | (b)          | To make specific the labeling requirements for radioactive materials possessing other hazardous characteristics as well.                                                                                  |
| 1    | 73.394  | (d)          |                                                                                                                                                                                                           |

#### APPENDIX B-II

|      |        |                 |                                                                                                                                                                                                    |
|------|--------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1    | 73.402 | (a) (8)         | To provide for the use of the red label for containers of Group IV fissile radioactive materials; to include reference to paragraph (c) which depicts the label used for air shipments.            |
| 6-7  | 73.414 | (a) and Note 1. | To provide label alterations consistent with labeling requirements for Group IV fissile radioactive materials.                                                                                     |
| 6-7  | 73.414 | (c) and Note 1. | To clarify that the reading of 1 milliroentgen per hour is at a distance of one meter from the radioactive source; to define the number of radiation units assigned fissile radioactive materials. |
| 7    | 73.414 | (b), (c) (1)    | The group number has been positioned to precede "radioactive materials" to be consistent with similar rearrangement in paragraph (a).                                                              |
| 7-9  | 74.532 | (1) (2) Note 2. | To qualify the meaning of radiation units assigned to fissile radioactive materials.                                                                                                               |
| 7-9  | 74.586 | (1) (2) Note 3. |                                                                                                                                                                                                    |
| 7-9  | 75.655 | (1) (2) Note 3. |                                                                                                                                                                                                    |
| 7-9  | 77.541 | (1) (2) Note 3. |                                                                                                                                                                                                    |
| 9-10 | 78.103 | Entire section  | To provide new specification 6L, a composite spec. 6J/2R container, for fissile radioactive material, Class II, only.                                                                              |

[F.R. Doc. 65-12817; Filed, Nov. 30, 1965; 8:46 a.m.]

## FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 19,511]

### FEDERAL SAVINGS AND LOAN SYSTEM

#### Distribution of Earnings at Variable Rates

NOVEMBER 26, 1965.

Resolved, that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that Part 545 of the rules and regulations for the Federal Savings and

Loan System (12 CFR Part 545) be amended by adding, immediately after § 545.3, a new section, § 545.3-1, as follows:

#### § 545.3-1 Distribution of earnings at variable rates.

(a) *General.* Subject to the provisions of this section, the board of directors of a Federal association which has a charter in the form of Charter N or Charter K (rev.), after having determined the rate at which earnings will be distributed on its savings accounts, hereinafter referred to as the regular rate, may also provide for the distribution of earnings at a higher rate or rates on savings accounts which meet the requirements fixed by such board of directors pursuant to paragraph (b) hereof, and such addi-

tional requirements as the board of directors may impose. In addition, the board of directors may provide for the distribution of earnings at a rate or rates lower than the regular rate on accounts which do not meet minimum requirements fixed by the board of directors in its discretion.

(b) *Minimum periods and amounts.* The board of directors may provide for the distribution of earnings at a higher rate or rates only in connection with accounts which have been maintained at not less than a specified minimum amount or amounts for not less than a specified minimum period or periods of time immediately preceding the distribution date, provided that:

(1) No such minimum period shall be less than 12 months or commence prior to the fixing of such minimum period; and

(2) No specified minimum amount shall be less than \$1,000.

(c) *Use of certificate.* If, pursuant to this section, the board of directors imposes a requirement that earnings will be distributed at a higher rate only on such savings accounts as are evidenced by a separate certificate, such certificate shall be in the form prescribed pursuant to paragraph (b) of § 545.2 and shall bear on its face the words: "Earnings are distributable on the amount of this certificate as provided in, and subject to, § 545.3-1 of the rules and regulations for the Federal Savings and Loan System."

(d) *Exclusions.* This section shall not be applicable to distribution of earnings on any of the following types of savings accounts:

(1) Small accounts, as fixed pursuant to paragraph (a) of § 545.1-1;

(2) Short-term savings accounts as defined in § 541.5; and

(3) Savings accounts on which such association is paying or is obligated to pay a bonus under any provision of this Part.

(e) *Exception.* No Federal association may distribute earnings at a higher rate pursuant to this section at any time when the highest rate at which earnings are distributed on any savings account, exclusive of any bonus rate but including any rate at which earnings are distributed pursuant to this section, exceeds 4½ percent per annum.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washing-

ton, D.C., 20552, not later than December 16, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,  
Assistant Secretary.

[P.R. Doc. 65-12829; Filed, Nov. 30, 1965;  
8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

### INVESTMENT COMPANIES

#### Notice of Proposed Rule Making

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, Part 107 of Subchapter B, Chapter I, of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946-16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, and 14095, by deleting § 107.704(g), amending § 107.12, and adding new §§ 107.725 and 107.726. Prior to final adoption of such amendments, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Investment Division, Small Business Administration, Washington, D.C., 20416, within a period of thirty (30) days of the date of this notice in the FEDERAL REGISTER.

**Information.** On August 10, 1965, notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 9958) concerning amendment of the SBIC regulation to establish more effective procedures governing transactions involving or likely to result in a transfer of control over a Licensee. After due and careful consideration of the comments received, SBA has determined to republish the proposals under consideration, in revised form, as set forth below.

In order to express SBA's original intention in more precise language, it is proposed that the definition of "debtor Licensee" in § 107.725 shall be expressly limited to a Licensee, "other than a 1940 Act company," which is indebted to SBA on account of § 107.301 or § 107.402 funds (including SBA guarantees or commitments with respect thereto). The definition of "1940 Act company", to be included in amended § 107.12, means a Licensee which is a registered investment company subject to S.E.C. jurisdiction under the Investment Company Act of 1940.

It is proposed, in § 107.725(c) (3), that the controlling shareholder or shareholders of a debtor Licensee (i.e., a Licensee other than a "1940 Act company")

which hereafter incurs or renegotiates an indebtedness under § 107.301 and/or § 107.402 shall be required to enter into a written agreement with SBA. The agreement would provide, among other things, that such controlling shareholder or shareholders shall be jointly and severally liable with the debtor Licensee for such indebtedness, but only in the event that any or all of them transfer control over the Licensee without prior SBA approval, in violation of § 107.725. The agreement would provide for termination of personal liability if SBA subsequently approves the transaction. In this context, "controlling shareholder or shareholders" would mean a person or affiliated group of persons which acknowledge that they beneficially own or control more than 50 percent of the debtor Licensee's stock.

Under proposed § 107.725(e) (1), SBA's licensing standards as set forth in § 107.102(d) would be applied to all transfers of control over Licensees. The provisions of § 107.102(d) (except subparagraph (6) thereof requiring demonstration of a need for SBIC services in Licensee's operating area) would, to the extent deemed appropriate by SBA, apply to and govern SBA's approval of a proposed transfer of control over any Licensee.

It is proposed that the regulations governing small business investment companies shall be amended as follows:

#### § 107.704 [Amended]

1. By deleting § 107.704(g).
2. By adding the following two (2) paragraphs at the end of § 107.12:

#### § 107.12 Definitions.

**Control.** "Control" means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a Licensee or non-Licensee concern, whether through the ownership of voting securities, by contract, or otherwise.

**1940 Act company.** "1940 Act company" means a Licensee which is a registered investment company subject to the regulatory jurisdiction of the Securities and Exchange Commission under the Investment Company Act of 1940.

3. By adding new §§ 107.725 and 107.726, which would read as follows:

#### § 107.725 Changes in ownership and control.

(a) **General.** Transfer of control over a Licensee shall be subject to prior SBA approval.

(b) **Definitions.** For the purposes of this section—

(1) "Debtor Licensee" means a Licensee, other than a 1940 Act company, which is indebted to SBA on account of § 107.301 and/or § 107.402 funds (including SBA guarantees or commitments with respect thereto).

(2) "Nondebtor Licensee" means a Licensee which is not indebted to SBA on account of § 107.301 and/or § 107.402 funds (including SBA guarantees or commitments with respect thereto).

(3) "Transfer," "stock transfer," or "transfer of shares" refers to the aggregate amount of shares which any person or affiliated group of persons transfers or undertakes to transfer during any six (6) month period.

(4) "Exercise voting rights with respect to shares of Licensee's capital stock" shall include directly procuring or voting any proxy, consent, or authorization as to such voting rights at any shareholder's meeting.

(5) "Participate in the conduct of Licensee's affairs" shall include the exercise of voting rights at any shareholder's meeting; access to, custody of, or control over Licensee's corporate books, records, funds or other assets; participation directly or indirectly in any disposition thereof; or serving as an officer, director or employee of such Licensee.

(c) (1) **Debtor licensees.** In case of—  
(i) A proposed transfer of 10 or more percent of the capital stock; or

(ii) A proposed transfer which would result in the acquisition or beneficial ownership by any person or affiliated group of persons of 10 or more percent of its capital stock; or

(iii) Any proposed change with respect to the beneficial ownership of its capital stock which involves or results in a change in control over the debtor Licensee;

such transaction shall not be consummated and neither the debtor Licensee, nor any officer, director, employee, or other person acting in a representative capacity on its behalf, shall, without prior written approval of SBA:

(a) Register on its books any transfer of shares to the proposed new owner or owners; or

(b) Permit the proposed new owner or owners to exercise voting rights with respect to said shares or participate in any manner in the conduct of Licensee's affairs—the performance of such activities by the proposed new owner or owners being unauthorized.

(2) **Prior approval application.** Applications for prior SBA approval shall be promptly filed on SBA Form No. 414A by the Licensee and other parties in interest.

(3) **Transferors' liability.** The controlling shareholder or shareholders of a debtor Licensee which receives § 107.301 and/or § 107.402 funds or renegotiates any such indebtedness, after the effective date hereof, will be required to enter into a written agreement with SBA providing, among other things, that they shall be jointly and severally liable with Licensee for such indebtedness, but only in the event any or all of them participate in or permit any transfer of control over the Licensee without prior SBA approval, in violation of § 107.725. The agreement will provide that such personal liability shall terminate if SBA should subsequently approve the transaction. For the purposes of this subparagraph, "controlling shareholder or shareholders" refers to any person or affiliated group of persons which acknowledge that they beneficially own or control more than 50 percent of debtor Licensee's stock.

(d) *Nondebtor Licensees and all 1940 Act companies.* Any transfer of 10 or more percent of the capital stock, or any transfer which results in the acquisition or beneficial ownership by any person or affiliated group of persons of 10 or more percent of the capital stock issued by a nondebtor Licensee or 1940 Act company, shall be immediately reported to SBA by the Licensee and other parties in interest. Such transfer shall be subject to SBA post-approval as a condition for the continuance of the license. Any proposed change with respect to the beneficial ownership of capital stock which involves or results in a change in control over such issuer Licensee shall be subject to prior written approval of SBA.

(e) *Standards governing SBA approval—(1) Applicability of licensing standards.* The provisions of § 107.102(d) concerning the issuance of new licenses (except subparagraph (6) thereof requiring demonstration of a need for SBIC services in Licensee's operating area) shall, to the extent deemed appropriate by SBA, apply to and govern SBA's approval of any transfer of control over a Licensee.

(2) *Disclosure requirements.* All SBA approvals required under paragraphs (a), (c) (1) and (d) of this section shall be contingent upon full disclosure and presentation by Licensee, and the other parties concerned, of information identifying the real parties in interest, describing the source of the funds used to effectuate the transaction, and setting forth such other data as SBA may request concerning the facts, events and circumstances involved. SBA approval shall be subject to such conditions as it may determine are reasonable under the circumstances.

(f) *Reporting transactions involving possible transfer of control.* (1) The Licensee through its president or chief

executive officer shall, upon obtaining knowledge thereof, promptly report to SBA the relevant facts pertaining to any transaction or event which affords reasonable grounds for belief that a transfer of control over such Licensee is involved or is likely to occur as a result thereof. If there is any doubt as to whether the nature or extent of a particular transaction or event is such as to involve or result in a change of control, such doubt shall be resolved in favor of reporting the facts to SBA.

(2) Where the transaction or event involves a change in stock ownership, such report shall set forth the following information (together with copies of any agreements or other relevant documentary material) to the extent that it is known to the person making the report:

- (i) Number of shares involved;
- (ii) Names and addresses of the sellers (or transferors);
- (iii) Names and addresses of the purchasers (or transferees);
- (iv) Names and addresses of the beneficial owners if the shares are (or are to be) registered in other names;
- (v) Beneficial owners immediately prior to the transaction;
- (vi) Purchase price;
- (vii) Total number of shares owned by the sellers (or transferors) and the purchasers (or transferees); and
- (viii) Such other data as may be available to inform SBA of the effect of the transaction upon control over the Licensee.

§ 107.726 *Changes in Licensee's activities not necessarily involving transfer of control.*

(a) *Prior approval: Change of name, address, operating area, charter, bylaws, financing plans, investment policy, etc.* Unless prior written approval of SBA is obtained, it shall be unlawful to effec-

tuate (1) any change in bylaws or paid-in capital and paid-in surplus which is likely to result in change of control, or (2) any change in Licensee's name, address of its principal office, operating area, charter, number of directors, financing plans or investment policy. Application for approval shall be filed as a proposed post-licensing amendment.

(b) *Reporting other changes.* Change of directors and other changes made with respect to Licensee's affairs, as set forth in response to Items listed in Proposal Form 414 and/or License Application Form 415, not covered by § 107.725 or paragraph (a) of this section, shall be reported to SBA as post-licensing amendments. Such report may be filed concurrently with the happening of the events described, or not later than the date of Licensee's next required regular financial report to SBA. All changes shall be subject to SBA post-approval as a condition for the continuance of the license.

(c) *Disclosure requirements.* SBA approval shall be contingent upon full disclosure of all relevant facts required by SBA and shall be subject to such conditions as SBA may determine are reasonable under the circumstances.

(d) *SBA approval deemed after 60 days.* Proposed post-licensing amendments filed pursuant to paragraphs (a) and (b) of this Section shall be deemed approved unless Licensee is notified to the contrary by SBA within sixty (60) days after receipt of its application or report.

Dated: November 23, 1965.

ROSS D. DAVIS,  
Executive Administrator.

[F.R. Doc. 65-12814; Filed, Nov. 30, 1965; 8:46 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Narcotics

#### FENTANYL

#### Application for License To Manufacture

Notice is hereby given pursuant to the provisions of section 8 of the Narcotics Manufacturing Act of 1960 (74 Stat. 62) and 21 CFR 307.93 that an application for a license to manufacture the narcotic drug Fentanyl, basic class No. 35, has been submitted by the following named company:

McNeil Laboratories, Inc., Camp Hill Road, Fort Washington, Pa.

and that such application is being favorably considered.

Within 20 days from the date of publication of this notice in the FEDERAL REGISTER, any interested person may file a written protest with both the Commissioner of Narcotics and the applicant against favorable consideration of the application. Any such protest shall specify with particularity the facts relied upon as showing that the license if granted to the applicant would not be in the public interest. Such interested person at the time of filing may request a hearing as to his protest.

If no written notice of a desire to be heard shall be received within 20 days from date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held.

[SEAL] HENRY L. GIORDANO,  
Commissioner of Narcotics.

Approved: November 24, 1965.

DAVID C. ACHESON,  
Special Assistant to the Secretary  
(for Enforcement).

[F.R. Doc. 65-12815; Filed, Nov. 30, 1965;  
8:45 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Anchorage 063258]

#### ALASKA

#### Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 24, 1965.

The Bureau of Sports Fisheries and Wildlife, Department of the Interior, has filed an application, serial number Anchorage 063258, for the withdrawal of the lands described below from all forms of appropriation except the mineral leasing laws.

For a period of thirty (30) days from the date of publication of this notice, all persons who wish to submit comments,

suggestions, or objections in connection with this proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 555 Cordova Street, Anchorage, Alaska, 99501.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized office will prepare a report for consideration by the Secretary of the Interior who will determine whether the lands will be withdrawn as requested by the Bureau of Sports Fisheries and Wildlife. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

#### COLD BAY, ALASKA

Beginning at a point marked by a standard FWS brass cap set in a shell case, from which point the beginning point of PLO No. 2708 bears N. 48° 53' W., 1061.90 feet distant; thence East, 100.00 feet to a point North, 856.22 feet to a point on the line of mean high tide of Cold Bay; N. 59° 26' W., 116.14 feet with said line of mean high tide to a point; South, 915.07 feet to the point of beginning.

Containing approximately 2.00 acres.

R. DON CHRISTMAN,  
Acting State Director.

[F.R. Doc. 65-12830; Filed, Nov. 30, 1965;  
8:47 a.m.]

#### NEVADA

#### Notice of Filing of Plat of Survey and Order Providing for Opening of Lands

NOVEMBER 24, 1965.

1. The Plats of Survey of lands described below will be officially filed at the Nevada Land Office, Reno, Nev., effective 10 a.m., on December 30, 1965.

#### MOUNT DIABLO MERIDIAN

T. 16 N., R. 60 E. (Group 409).  
T. 17 N., R. 60 E. (Group 409).  
T. 18 N., R. 60 E. (Group 409).  
T. 17 N., R. 61 E. (Group 409).

2. The area described above aggregates 88,750.25 acres. The plats were accepted August 12, 1965. Available data indicates the lands included in these plats varies from level to gently rolling to heavily rolling mountainous with sandy and gravelly desert soils.

3. The Plats of Survey and Retracement of boundaries of lands described below will be officially filed at the Nevada Land Office, Reno, Nev., effective 10 a.m., on December 30, 1965.

#### MOUNT DIABLO MERIDIAN

T. 16 N., R. 59 E. (Group 409).  
T. 16 N., R. 61 E. (Group 409).  
T. 18 N., R. 61 E. (Group 409).  
T. 17 N., R. 62 E. (Group 409).

4. Subject to any existing valid rights and the requirements of applicable law, the above-described lands are hereby opened to filing applications, selections, and location, except for applications under the Small Tract and Desert Land Laws, in accordance with the following: Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of the order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs: Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph. All valid applications and selections under the nonmineral public land laws presented prior to 10 a.m., December 30, 1965, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications, which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 1551, Reno, Nev.

CHARLES E. HANCOCK,  
Acting Manager,  
Nevada Land Office.

[F.R. Doc. 65-12804; Filed, Nov. 30, 1965;  
8:45 a.m.]

## Fish and Wildlife Service

[Docket No. A-353]

ROBERT JAN JAMES

## Notice of Loan Application

Robert Jan James, Post Office Box 271, Metlakatla, Alaska, 99926, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 33.3-foot registered length wood trolling vessel to engage in the fishery for salmon and halibut in South-eastern Alaskan waters.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic injury or hardship.

DONALD L. MCKERNAN,  
Director, Bureau of  
Commercial Fisheries.

NOVEMBER 26, 1965.

[F.R. Doc. 65-12816; Filed, Nov. 30, 1965;  
8:46 a.m.]

## Office of the Secretary

WILLIAM ANGUS DAVIS

## Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months.

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of November 16, 1965.

Dated: November 16, 1965.

WILLIAM A. DAVIS.

[F.R. Doc. 65-12805; Filed, Nov. 30, 1965;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

## Agricultural Stabilization and Conservation Service

## CERTAIN TYPES OF TOBACCO

## Need for Marketing Quota Programs on an Acreage-Poundage Basis; Meetings To Obtain Recommendations

Section 317 of the Agricultural Adjustment Act of 1938 (Public Law 89-12, approved April 16, 1965, 79 Stat. 66, 7 U.S.C. 1314c) provides for tobacco marketing quota programs on an acreage-poundage basis. An acreage-poundage marketing quota program under section 317 was approved for flue-cured tobacco by growers of such tobacco in a referendum held on May 4, 1965 (30 F.R. 9299), and is in effect for flue-cured tobacco for the marketing years beginning July 1, 1965, July 1, 1966, and July 1, 1967.

Section 317(d) (1) requires the Secretary of Agriculture, not later than January 1, 1966, to "Consult with representatives of all segments of the tobacco industry, including growers, State farm organizations and cooperative associations, in meetings held for each kind of tobacco (except flue-cured), to receive their recommendations and to determine the need for a similar or modified program for that kind of tobacco." Pursuant to section 317(d) (1), meetings will be held for the purposes specified in said section at the following times and places:

1. Cigar-binder (types 51 and 52), cigar-filler and binder (types 42, 43, 44, 53, 54, and 55), cigar-filler (type 41 [Pennsylvania]), and cigar-filler and binder (type 46 [Puerto Rican]) tobacco. 9:30 a.m., e.s.t., December 8, 1965, Room 2-W, Administration Building, U.S. Department of Agriculture, Washington, D.C.

2. Fire-cured and Virginia sun-cured tobacco. 10 a.m., e.s.t., December 9, 1965, Room 7413, Federal Building, 400 North Eighth Street, Richmond, Va.

3. Maryland tobacco. 1:30 p.m., e.s.t., December 10, 1965, Prince Georges County Courthouse, Upper Marlboro, Md.

4. Fire-cured and dark air-cured tobacco. 9:30 a.m., c.s.t., December 13, 1965, National Guard Armory, Hopkinsville, Ky.

5. Burley tobacco. 9:30 a.m., e.s.t., December 14, 1965, Ballroom, Phoenix Hotel, Lexington, Ky.

During or immediately following each meeting for more than one kind of tobacco, time will be allocated for separate discussion with respect to each kind of tobacco.

Section 317(c) provides as to each kind of tobacco designated above, except flue-cured, that marketing quotas on an acreage-poundage basis can be put in effect only if (a) during the first or sec-

ond marketing year of a 3-year period for which marketing quotas on an acreage basis are in effect pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1282, et seq.), the Secretary of Agriculture, in his discretion, determines that acreage-poundage quotas would result in a more effective marketing quota program, and (b) more than 66 2/3 percent of the growers of the kind of tobacco involved who vote approve marketing quotas on an acreage-poundage basis for the following 3 marketing years.

A list of the marketing quota programs on an acreage basis which have been approved by growers and are now in effect follows:

1. Cigar-binder (types 51 and 52), cigar-filler and binder (types 42, 43, 44, 53, 54, and 55) and Maryland tobacco. Programs in effect for the 1963-64, 1964-65, and 1965-66 marketing years (28 F.R. 2526, 2888).

2. Fire-cured and dark air-cured tobacco. Programs in effect for the 1964-65, 1965-66, and 1966-67 marketing years (29 F.R. 3697).

3. Burley and Virginia sun-cured tobacco. Programs in effect for the 1965-66, 1966-67, and 1967-68 marketing years (30 F.R. 4313).

Growers of cigar-filler (type 41 [Pennsylvania]) tobacco disapproved marketing quotas for the 1965-66, 1966-67, and 1967-68 marketing years in a referendum held on February 18, 1965 (30 F.R. 4313), and marketing quotas are not in effect for Type 41 tobacco.

Marketing quotas on an acreage basis under the provisions of the Act are not and never have been in effect for cigar-filler and binder tobacco (Type 46 [Puerto Rican]), because such a program can not be instituted unless the Secretary of Agriculture determines that the total supply of such kind of tobacco exceeds the reserve supply level therefor (section 312(a) of the Act) and no such determination has been made.

The marketing year begins for each of the kinds of tobacco designated above, except flue-cured, on the October 1 which occurs in the year in which the crop is harvested and ends the following September 30. For example, the marketing year for the 1965 crop began on October 1, 1965, and ends on September 30, 1966.

The meetings will be presided over by the Administrator of the Agricultural Stabilization and Conservation Service or an official of the Department of Agriculture designated by him. It is not contemplated that the proceedings will be recorded and transcribed by a reporter. Written submissions will be considered if submitted at the conclusion of one of the meetings above designated or mailed (postmarked) to the Director, Policy and Programs Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, not later than December 14, 1965. All written submissions made pursuant to this notice will be made available for public inspection

at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

A summary of the provisions of section 317 was published in the FEDERAL REGISTER for October 16, 1965 (30 F.R. 13231). Further information can be obtained by writing to the Tobacco Policy Staff, Agriculture Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Issued at Washington, D.C., on November 23, 1965.

H. D. GODFREY,  
Administrator, Agricultural Sta-  
bilization and Conservation  
Service.

[F.R. Doc. 65-12844; Filed, Nov. 30, 1965;  
8:47 a.m.]

## DEPARTMENT OF COMMERCE

### Bureau of the Census

### ANNUAL SURVEYS IN MANU- FACTURING AREA

#### Notice of Determination

In conformity with Title 13, United States Code, sections 181, 224 and 225 and due notice having been published October 29, 1965 (30 F.R. 13791), I have determined that annual data to be derived from the surveys listed below are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other government sources.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all or a sample or establishments engaged in the production of the items covered by the following list of surveys. The surveys have been arranged under major group headings shown in the revised Standard Industrial Classification Manual (1957 edition) promulgated by the Bureau of the Budget for the use of Federal statistical agencies.

#### MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Prepared animal feeds.

#### MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Stocks of wool (as of January 1, 1966).  
Cotton and synthetic woven goods finished.  
Narrow fabrics.  
Knit cloth for sale.  
Woolen and worsted machinery activity.  
Yarn production.  
Rugs, carpets, and carpeting.

#### MAJOR GROUP 23—APPAREL AND OTHER FIN- ISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS

Gloves and mittens.  
Apparel.  
Brassieres, corsets, and allied garments.  
Sheets, pillowcases, and towels.

#### MAJOR GROUP 24—LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE

Hardwood plywood.  
Softwood plywood.  
Lumber.

#### MAJOR GROUP 25—FURNITURE

Office furniture.

#### MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Pulp, and detailed grades of paper and board.

#### MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Sulfuric acid.  
Industrial gases.  
Inorganic chemicals.  
Pharmaceutical preparations, except biolog-  
icals.

#### MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Plastics products.

#### MAJOR GROUP 31—LEATHER AND LEATHER PRODUCTS

Shoes and slippers (by method of construc-  
tion).

#### MAJOR GROUP 32—STONE, CLAY, AND GLASS

Consumer, scientific, technical, and indus-  
trial glassware.  
Fibrous glass.

#### MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Steel mill products.  
Insulated wire and cable.

#### MAJOR GROUP 34—FABRICATED METAL PRO- DUCTS, EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Aluminum foil, converted.  
Steel power boilers.  
Heating and cooking equipment.

#### MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Internal combustion engines.  
Tractors.  
Farm machines and equipment.  
Mining machinery and equipment.  
Vending machines.  
Air-conditioning and refrigeration equip-  
ment.  
Office, computing, and accounting machines.  
Pumps and compressors.

#### MAJOR GROUP 36—ELECTRICAL MACHINERY, EQUIPMENT, AND SUPPLIES

Radios, television, and phonographs.  
Motors and generators.  
Wiring devices and supplies.  
Switchgear, switchboard apparatus, relays  
and industrial controls.  
Selected electronic and associated products.  
Electric housewares and fans.  
Electric lighting fixtures.

#### MAJOR GROUP 38—PROFESSIONAL, SCIENTIFIC, AND CONTROLLING INSTRUMENTS; PHOTO- GRAPHIC AND OPTICAL GOODS; WATCHES AND CLOCKS

Selected instruments and related products.  
Atomic energy products and services.

The following list of surveys represents annual counterparts of monthly, quarterly, and semiannual surveys and will cover only those establishments which are not canvassed or do not report in the more frequent survey. Accordingly, there will be no duplication in reporting. The content of these annual reports will be identical with that of the monthly, quarterly, and semiannual reports except for Construction Machinery which will additionally call for data on shipments of power cranes and shovels, concrete mixers, and attachments for contractors' off-highway type tractors. Also, reports on man-made fiber, silk, woolen and worsted fabrics, on finishing plants, and on piece goods inventories

listed below will call for information relating to the monthly fluctuations of stocks and unfilled orders for woven fabrics in addition to the annual production data.

#### MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Flour milling products.  
Confectionery products.

#### MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Man-made fiber, silk, woolen and worsted fabrics.  
Finishing plant report—broad woven fabrics.  
Piece goods inventories and orders.  
Broad woven goods (cotton, wool, silk, and synthetic).  
Consumption of wool and other fibers, and production of tops and nolls.

#### MAJOR GROUP 25—FURNITURE AND FIXTURES

Mattresses and bedsprings.

#### MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Consumers of wood pulp.  
Converted flexible packaging products.

#### MAJOR GROUP 28—CHEMICALS AND ALLIED PRODUCTS

Superphosphates.  
Paint, varnish, and lacquer.

#### MAJOR GROUP 29—PETROLEUM REFINING AND RELATED INDUSTRIES

Asphalt and tar roofing and siding products.

#### MAJOR GROUP 30—RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS

Rubber.

#### MAJOR GROUP 31—LEATHER AND LEATHER PRODUCTS

Shoes and slippers.

#### MAJOR GROUP 32—STONE, CLAY, AND GLASS

Glass containers.  
Refractories.  
Clay construction products.

#### MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Nonferrous castings.  
Steel forgings.  
Iron and steel foundries.  
Magnesium mill products.

#### MAJOR GROUP 34—FABRICATED METAL PRO- DUCTS, EXCEPT ORDNANCE, MACHINERY, AND TRANSPORTATION EQUIPMENT

Plumbing fixtures.  
Steel shipping barrels, drums, and pails.  
Closures for containers.  
Metal cans.

#### MAJOR GROUP 35—MACHINERY, EXCEPT ELECTRICAL

Construction machinery.  
Metalworking machinery.  
Farm pumps.  
Fans, blowers, and unit heaters.  
Typewriters.

#### MAJOR GROUP 36—ELECTRICAL MACHINERY, EQUIPMENT, AND SUPPLIES

Electric lamps.  
Fluorescent lamp ballasts.

#### MAJOR GROUP 37—TRANSPORTATION EQUIPMENT

Aircraft engines.  
Complete aircraft.  
Backlog of orders for aircraft, space vehicles, missiles, engines, and selected parts.  
Aircraft propellers.  
Truck trailers.

Also, the Annual Survey of Manufactures will be conducted and will call for general statistical data such as employ-

ment, payroll, man-hours, capital expenditures, cost of materials consumed, etc., in addition to information on value of products shipped and quantity data for selected classes of products. This survey, while conducted on a sample basis, will cover all manufacturing industries. Data on employment and payrolls for auxiliary establishments of manufacturing companies such as central administrative offices, warehouses, etc., will be included.

A survey of Research and Development costs will also be conducted. The data to be obtained will be limited to total research and development costs of work performed by the company, total cost of research and development work performed for the Federal Government, and, for comparative purposes, total net sales and receipts, and total employment of the company.

The report forms will be furnished to firms included in these surveys and additional copies are available on request to the Director, Bureau of the Census, Washington, D.C., 20233.

I have, therefore, directed that annual surveys be conducted for the purpose of collecting the data hereinabove described.

Dated: November 19, 1965.

HOWARD C. GRIEVES,  
Acting Director,  
Bureau of the Census.

[P.R. Doc. 65-12915; Filed, Nov. 30, 1965;  
8:47 a.m.]

### National Bureau of Standards NBS RADIO STATIONS Standard Frequency and Time Broadcasts

In accordance with the National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no change in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo., on 1 January 1966. The successive time pulses emitted from station WWVB are one second apart. The carrier frequency of WWVB is 60 kHz, and is broadcast without offset.

Notice is also hereby given that there will be no adjustment in the phases of time signals emitted from radio stations WWV, Greenbelt, Md., and WWVH, Maui, Hawaii, on 1 January 1966. However, on 1 January 1966, a change will be made in the time interval between these pulses. During 1965, the pulses from these stations occurred at intervals which were longer than a second by 150 parts in  $10^6$ . During 1966, the pulses will occur at intervals which are longer than one second by 300 parts in  $10^6$ , due to the new offset to be maintained in carrier frequencies, as coordinated by the BIH.

Phase adjustments, when made, ensure that the emitted pulses from all stations will remain within about 100 ms of the UT2 scale. They are made neces-

sary because of changes in the speed of rotation of the earth with which the UT2 scale is associated. Daily UT2 information is obtained from weekly forecasts of UT2 provided by the U.S. Naval Observatory in accordance with the close cooperation maintained between the two agencies.

A. V. ASTIN,  
Director.

[P.R. Doc. 65-12938; Filed, Nov. 30, 1965;  
10:46 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 65-1064]

### NEW TELEVISION BROADCAST STATION, BIRMINGHAM, ALA.

#### Filing of Applications for Construction Permit

NOVEMBER 26, 1965.

The Commission, on June 8, 1965, released its "Fourth Report and Order" in Docket No. 14229 (FCC 65-504, 5 RR 2d 1587) promulgating a new Television Table of Assignments (§ 73.606 of the Commission's rules). Among the changes made in the new Table was the deletion of Bessemer, Ala., from the Table of Assignments and the allocation of Channel 21 to Birmingham, Ala., for commercial use, effective July 15, 1965. By Supplement No. 1 to the Fourth Report and Order (FCC 65-544, 5 RR 2d 1605), released June 18, 1965, the Commission directed the applicants who were in comparative hearing for a construction permit for a new television broadcast station to operate on Channel 54, allocated to Bessemer, Ala., to amend their applications to specify Channel 21, Birmingham, Ala.

On June 16, 1965, Birmingham Television Corp., permittee of Television Broadcast Station WBMG, Channel 42, Birmingham, Ala., tendered for filing a substantially complete application for modification of its construction permit to specify operation on Channel 21, Birmingham, Ala. The Commission has determined that, because Bessemer, Ala., was deleted from the Television Table of Assignments and a new channel was allocated to Birmingham, Ala., new applications for Channel 21, Birmingham, Ala., may be accepted for filing. In order to promote the orderly conduct of the Commission's business, the Commission has determined to fix a date certain after which no new applications for Channel 21, Birmingham, Ala., will be accepted for filing.

Accordingly, notice is hereby given that, in order to be entitled to a comparative consideration, any application for a construction permit for a new television broadcast station to operate on Channel 21, Birmingham, Ala., must be substantially complete and tendered for filing no later than the close of business January 24, 1966.

Adopted: November 24, 1965.

FEDERAL COMMUNICATIONS

COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-12835; Filed, Nov. 30, 1965;  
8:47 a.m.]

[Docket Nos. 16301, 16312]

### SAWNEE BROADCASTING CO. (WSNE) AND HALL COUNTY BROADCAST- ING CO. (WLBA)

#### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of John T. Pittard, trading as Sawnee Broadcasting Co. (WSNE), Cumming, Ga., Docket No. 16301, File No. BP-16375; has: 1410 kc, 1 kw, DA, Day, requests: 1130 kc, 1 kw, Day; Ernest H. Reynolds, Jr., trading as Hall County Broadcasting Co. (WLBA), Gainesville, Ga., Docket No. 16312, File No. BP-16606; has: 1580 kc, 5 kw, 1 kw-CH, Day, requests: 1130 kc, 10 kw, 1 kw-CH, Day; for construction permits.

The Commission, by the Chief of the Broadcast Bureau under delegated authority, considered the above applications on November 23, 1965;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed but that the proposed operations are mutually exclusive; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations of stations WSNE and WLBA and the availability of other primary service to such areas and populations.

2. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That, in the event of a grant of either of the applications herein, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation

<sup>1</sup> Commissioners Hyde and Bartley absent.

with daytime facilities, the present provisions of section 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

*It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.*

*It is further ordered, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.*

Released: November 26, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-12836; Filed, Nov. 30, 1965;  
8:47 a.m.]

[Docket Nos. 16310, 16311; FCC 65-1049]

# **WILKESBORO BROADCASTING CO. AND WILKES COUNTY RADIO**

## **Order Designating Applications for Consolidated Hearing on Stated Issues**

In re applications of Fletcher R. Smith and Madge P. Smith doing business as Wilkesboro Broadcasting Co., Wilkesboro, N.C., Docket No. 16310, File No. BP-16466; requests: 1240 kc, 100 w, U, Class IV; Paul L. Cashion and J. B. Wilson, Jr., doing business as Wilkes County Radio, Wilkesboro, N.C., Docket No. 16311, File No. BP-16556; requests: 1240 kc, 100 w, U, Class IV; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of November 1965:

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the applications are mutually exclusive; and

It further appearing, that both proposals fail to cover the entire city of Wilkesboro with their respective RSS nighttime limitation contours and waivers of the Commission's city coverage requirements have been requested; and

It further appearing, that it is the Commission's policy to discourage applications for 100-watt operation, WFPG,

Inc., et al., 33 FCC 673, 675, 24 R.R. 419, 423 (1962), and that, therefore, a heavy burden rests upon these applicants to show that a grant of either of the proposals would serve the public interest, particularly since neither proposal, as noted above, would meet the city coverage requirements of the Commission's rules, and neither operation, if authorized, would be susceptible to any increase in scope without causing interference to existing operations; and

It further appearing, that the Commission has carefully considered the grounds and data submitted in support of the waiver requests, but is unable at this time to conclude that waivers would serve the public interest, and is of the opinion that the matter should be fully explored in the evidential hearing ordered below:

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

*It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:*

1. To determine the areas and populations which would receive primary service from the respective proposals and the availability of other primary service to such areas and populations.

2. To determine whether the proposals would provide coverage of the city sought to be served, as required by § 73.188(a) (1) of the Commission's rules, and, if not, whether circumstances exist which would warrant a waiver of said section.

3. To determine which of the proposals would better serve the public interest.

4. To determine, in the light of the evidence pursuant to the foregoing issues which, if either, of the applications should be granted.

*It is further ordered, That, in the event of a grant of the application of Wilkesboro Broadcasting Co., the construction permit shall contain the following conditions:*

Before program tests are authorized an approved type of modulation monitor shall be installed.

Permittee shall accept any interference that may result from existing 250-watt Class IV stations increasing daytime power.

*It is further ordered, That in the event of a grant of the application of Wilkes County Radio, the construction permit shall contain the following conditions:*

The horizontal inverse distance field intensity at 1 mile shall be reduced to essentially 152 mv/m per kilowatt or 48 mv/m per 100 watts by the addition of a series resistor in the transmission line. Before program tests are authorized, the permittee shall submit sufficient evidence to show that the radiation has been reduced as proposed.

Permittee shall accept such interference that may result from existing 250-watt Class IV stations increasing daytime power.

*It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.*

*It is further ordered, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.*

Released: November 26, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-12837; Filed, Nov. 30, 1965;  
8:47 a.m.]

## **FEDERAL MARITIME COMMISSION**

### **BAYSIDE WAREHOUSE CO. AND SOUTH LOUISIANA PORT COMMISSION**

#### **Notice of Agreement Filed for Approval**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

McDonald & Buchler, Post Office Box B,  
Metairie, La., 70005.

Agreement No. T-1839-1 between the South Louisiana Port Commission (Lessor) and the Bayside Warehouse Co. (Lessee) modifies the basic agreement which provides for the lease of a terminal grain facility in Southport, La. The pur-

<sup>1</sup> Commissioners Hyde and Loevinger absent.

pose of the modification is to amend certain provisions regarding the issuance of bonds for purposes of (1) financing certain construction and land costs and (2) to provide that the agreement may be terminated if not approved by the Federal Maritime Commission prior to January 15, 1966.

Dated: November 29, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-12832; Filed, Nov. 30, 1965;  
8:46 a.m.]

# UNITED STATES LINES AND CITY OF NEW YORK DEPARTMENT OF MARINE AND AVIATION

## Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

The City of New York, Department of Marine and Aviation, Battery Maritime Building, New York, N.Y., 10004.

Agreement No. T-757-1 between the City of New York Department of Marine and Aviation (City) and United States Lines (Carrier) modifies the basic agreement which provides for the lease of certain piers on the North River, New York City. The modification amends the basic agreement by revising certain construction and improvement obligations of the Carrier as contained in the basic lease. The amendment also makes certain changes in the formula upon which the annual rental is based.

Dated: November 29, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-12833; Filed, Nov. 30, 1965;  
8:46 a.m.]

[Docket No. 65-43]

## JACKSONVILLE/PUERTO RICO TRADE

### Rates and Practices of Carriers; Notice of Investigation

TMT Traller Ferry, Inc. (C. Gordon Anderson, trustee) (TMT) and Sea-Land Service, Inc. (Sea-Land) amended their respective tariffs, effective November 15, 1965, reducing trailerload rates on drying, ironing, or washing machines and stoves, electric or other than electric. TMT's reduced rates apply from Jacksonville and Miami, Fla., to San Juan, P.R. Sea-Land's reduced rates apply from Jacksonville, Fla., to San Juan, Ponce, and Mayaguez, P.R.

The reductions were initiated by TMT. Sea-Land petitioned the Commission to suspend and investigate the TMT reductions and to permit its reductions to become effective without suspension or investigation. TMT did not reply to Sea-Land's petition, but informed the Commission orally that its reduced rates were published to meet the "Freight All Kinds" rate of \$700 per trailer published by South Atlantic and Caribbean Lines, Inc. (SACL). SACL's \$700 rate has been in effect since April 3, 1963. Sea-Land alleged in its petition that to "the extent that the \$700 rate applies on truckload shipments of the considered traffic it is significantly lower than the existing [prerelated] TMT and Sea-Land rates", and that such rate, which includes the cost of inland transportation between Jacksonville and Miami, Fla., is noncompensatory.

The Commission, having considered the reduced rates of TMT and Sea-Land and Sea-Land's protest, is of the opinion that said reduced rates and SACL's \$700 rate should be made the subject of a public investigation and hearing to determine whether they are unjust or unreasonable or otherwise unlawful under the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933.

Now therefore it is ordered, That, pursuant to sections 18(a) and 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation be, and it is hereby instituted to determine the lawfulness of the following rates: (1) Reduced rates on "Household Appliances" published by (a) Sea-Land on 24th revised page 75 and 11th revised page 105 in Tariff FMC-F No. 3 (Pan Atlantic Steamship Corp. FMC-F Series) and (b) TMT on original page 97-A in its Tariff FMC-F No. 5; and (2) SACL's unchanged "Freight All Kinds" rate of \$700 per trailer published on fourth revised page No. 8 in its Tariff FMC-F No. 7. The Commission will make such findings and issue such orders as the facts and law warrant.

It is further ordered, That all subsequent revisions of the matter hereby placed under investigation shall be, and they are hereby placed under investigation in this proceeding;

It is further ordered, That (I) the investigation herein ordered be assigned for public hearing by the Chief Examiner, before an examiner of the Commission's Office of Hearing Examiners, at a date and place to be announced; (II) Sea-Land Service, Inc., TMT Traller Ferry, Inc. (C. Gordon Anderson, trustee), and South Atlantic and Caribbean Line, Inc., be and they are hereby made respondents in this proceeding; (III) a copy of this order shall forthwith be served upon said respondents herein; (IV) the said respondents be duly notified of the time and place of the hearing herein ordered; and (V) this order and notice of the said hearing be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(n) [46 CFR 502.73] with copy to respondents.

By the Commission.

[SEAL]

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-12834; Filed, Nov. 30, 1965;  
8:46 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI66-174]

PERRY R. BASS ET AL.

### Order Granting Application for Rehearing, and Providing for Hearing on and Suspension of Proposed Change in Rate

NOVEMBER 22, 1965.

Perry R. Bass (Operator), et al. (Bass) filed an application for rehearing on October 25, 1965, of the Commission's undocketed order issued September 23, 1965, rejecting a proposed rate increase from 16.0 cents to 17.0 cents per Mcf<sup>1</sup> tendered on August 24, 1965, by Bass for the sale of residue gas from gas-well gas to El Paso Natural Gas Co. under its FPC Gas Rate Schedule No. 1 in the Permian Basin Area of Texas. The contract involved here was executed on December 16, 1961, and thus covers a sale for new gas under Opinion No. 468. The proposed rate of Bass, which exceeds the applicable just and reasonable rate ceilings determined in Opinion No. 468 for the sale of gas in the Permian Basin Area, was rejected for the reasons set forth in the order issued August 26, 1965, in Socony Mobil Oil Co., Inc. (Operator), et al.

<sup>1</sup> The proposed increased rate is designated herein as Supplement No. 1 to Bass' FPC Gas Rate Schedule No. 1. Details of the proposed increase are set forth in Appendix A hereof.

On October 20, 1965, subsequent to the issuance of our rejection order, the Tenth Circuit in *Skelly Oil Co. v. FPC* (C.A. 10 No. 8385 et al.) stayed through January 20, 1966, the effectiveness of Opinion Nos. 468 and 468-A as to Skelly, Phillips and Warren. The Court's order further provided that any member of the Court may grant a similar stay if other petitions for review are filed in or transferred to that Court. Argument was also set for January 7, 1966, on the question of further stay.

Bass in Case No. 23123 has filed in the Fifth Circuit a petition for review of Opinion Nos. 468 and 468-A together with a motion to transfer its appeal to the Tenth Circuit. Bass also filed a motion for stay in the Tenth Circuit. Under these circumstances, it is appropriate to grant Bass' application for rehearing and to suspend its proposed increase for 5 months from the time it would have become effective had it not been rejected

(i.e., September 24, 1965). However, we wish to make it clear that we will reject this increase ab initio in the event the stay is dissolved or Opinion Nos. 468 and 468-A are upheld upon judicial review.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that Supplement No. 1 to Bass' FPC Gas Rate Schedule No. 1 herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be

held concerning the lawfulness of the change proposed by Bass.

(B) Pending hearing and decision thereon, Supplement No. 1 to Bass' FPC Gas Rate Schedule No. 1 is suspended and its use deferred until February 24, 1966, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Unless otherwise ordered by the Commission, neither the suspended supplement nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 4, 1966.

By the Commission.

[SEAL]

JOSEPH H. GUTHRIE,  
Secretary.

#### APPENDIX A

| Docket No.  | Respondent                                                                                                                      | Rate schedule No. | Supplement No. | Purchaser and producing area                                                                                      | Amount of annual increase | Date filing tendered | Effective date unless suspended | Date suspended until— | Cents per Mcf  |                         | Rate in effect subject to refund in Docket No. |
|-------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------|-------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------|---------------------------------|-----------------------|----------------|-------------------------|------------------------------------------------|
|             |                                                                                                                                 |                   |                |                                                                                                                   |                           |                      |                                 |                       | Rate in effect | Proposed increased rate |                                                |
| RI66-174... | Perry R. Bass (Operator), et al., 12th Floor, Fort Worth National Bank Bldg., Fort Worth, Tex., 76102, Attn.: Mr. Roy T. Durst. | 1                 | 1              | El Paso Natural Gas Co. (Brown-Bassett Field, Terrell County, Tex.) (R.R. District No. 7-C) (Permian Basin Area). | \$22,474                  | 8-24-65              | 9-24-65                         | 2-24-66               | \$16.0         | \$17.0                  |                                                |

<sup>1</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>2</sup> Periodic rate increase.

<sup>3</sup> Pressure base is 14.65 p.s.i.a.

<sup>4</sup> Less processing cost of 3.3 cents per Mcf for pipeline quality gas remaining after processing for removal of carbon dioxide diluent (processing cost shall not exceed 4.5 cents per Mcf in any event).

<sup>5</sup> Initial rate.

[F.R. Doc. 65-12763; Filed, Nov. 30, 1965; 8:45 a.m.]

[Docket No. G-12004, etc.]

### SOCONY MOBIL OIL CO., INC., ET AL.

#### Findings and Order

NOVEMBER 22, 1965.

Socony Mobil Oil Co., Inc., and other Applicants listed herein, findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondents, redesignating proceedings, accepting surety bond for filing, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC Gas Rate Schedules and pro-

pose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of General Policy 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Westmore Drilling Co., Inc. (Operator), et al., Applicant in Docket No. CI66-13 proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI63-1096 and made pursuant to Braden Drilling, Inc., FPC Gas Rate Schedule No. 8. The contract comprising said rate schedule will also be accepted for filing as Westmore's rate schedule to be effective as of December 10, 1964, the date of transfer of the producing properties. Westmore proposes to sell gas at the rate of 14.0 cents per Mcf at 14.65 p.s.i.a., an increased rate filed by Braden on November 23, 1964, and suspended by order issued December 18, 1964, in Docket No. RI65-396 until May 24, 1965, and thereafter until made effective. On April 22, 1965, Braden filed a motion to make the increased rate effective subject to refund, but there has not yet been any action on said motion. On October 15, 1965, Westmore filed a surety bond to as-

sure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in Docket No. RI65-396. Accordingly, Westmore will be made a co-respondent in the proceeding pending in Docket No. RI65-396, said proceeding will be redesignated, Westmore will be permitted to collect the rate of 13.0 cents per Mcf until May 24, 1965, and 14.0 cents per Mcf thereafter, and the surety bond submitted by Westmore will be accepted for filing.

The Preston Oil Co. (Operator), et al., Applicant in Docket No. CI66-156, proposes to continue in part the sale of natural gas authorized in Docket No. G-14303 and made pursuant to Hassle Hunt Trust FPC Gas Rate Schedule No. 20. The contract comprising said rate schedule will also be accepted for filing as Preston's rate schedule. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI62-227<sup>1</sup>. Accordingly, Preston will be made a co-respondent in said proceeding, the proceeding will be redesignated, and Preston will be required to file an agreement and undertaking to assure the refund of any amounts, together with interest at the rate of 7 percent per

<sup>1</sup> Consolidated with Docket No. AR61-2, et al.

annum, collected by it in excess of the amount determined to be just and reasonable in said proceeding.

After due notice, petitions to intervene by the Long Island Lighting Co. were filed on September 15, and September 30, 1965, in Docket Nos. CI66-156 and CI63-225, respectively. Notice of withdrawal of the respective interventions by intervenor was filed on November 1, 1965, in said dockets. No other petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on November 17, 1965, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

**The Commission finds:**

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-12004, G-14303, G-15052, G-16345, G-18351, CI61-1098, CI62-772, CI62-1000, CI62-1231, CI63-225, CI63-548, CI63-603, CI63-1096, CI63-1206, CI64-175, CI64-731, CI64-1164, CI66-83, and CI66-129 should be amended as hereinafter ordered.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants herein relating to the abandonments hereinafter permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Westmore Drilling Co., Inc. (Operator), et al., should be made a co-respondent in the proceeding pending in Docket No. RI65-396, that said proceeding should be redesignated accordingly, and that the surety bond submitted by Westmore in said proceeding should be accepted for filing.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the Preston Oil Co. (Operator), et al., should be made a co-respondent in the proceeding pending in Docket No. RI62-227, that said proceeding should be redesignated accordingly, and that Preston should be required to file an agreement and undertaking.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

**The Commission orders:**

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this

proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's Statement of General Policy 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 10 and 12 in the attached tabulation.

(E) The certificate issued herein in Docket No. CI64-2 is conditioned upon Applicant filing within 30 days from the date of this order, an amendment to the rate schedule providing for proportional downward B.t.u. adjustment as required by the Commission's Opinion No. 464, issued June 10, 1965, in Docket Nos. G-8087, et al. (33 FPC ----).

(F) The certificate issued herein in Docket No. CI65-1241 is subject to the conditions set forth in paragraphs (E), (F), and (G) of the order accompanying Opinion No. 350 (27 FPC 35), except that said certificate shall not be subject to the Commission's ultimate determination in Docket No. R-200.

(G) The certificates heretofore issued in Docket Nos. G-12004, G-15052, CI63-548, CI63-603, CI63-1206, CI64-175, CI64-731, and CI66-129 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(H) The certificates heretofore issued in Docket Nos. G-14303, CI63-1096, and CI64-1164 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI66-156, CI66-13, and CI66-231.

(I) The certificate heretofore issued in Docket No. CI61-1098 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI66-286, and issuance of the certificate herein in Docket No. CI66-286 is contingent upon Applicant's filing executed copies of the assignments covering acquisition of the subject properties.

(J) The certificate heretofore issued in Docket No. CI63-225 is amended to reflect Amax Petroleum Corp. as Operator of the properties involved in lieu of J. M. Flaitz, et al.

(K) The certificates heretofore issued in Docket Nos. G-16345, G-18351, CI62-772, CI62-1000, CI62-1231, and CI66-83 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(L) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein are granted.

(M) In view of the abandonment permitted and approved herein in Docket No. CI66-280 Applicant is not relieved of any refund obligation in the related rate suspension proceeding in Docket No. G-17800.

(N) Docket Nos. G-15921 and G-16927 are terminated.

(O) Westmore Drilling Co., Inc. (Operator), et al., shall be a co-respondent in the proceeding pending in Docket No. RI65-396, said proceeding is redesignated accordingly,<sup>2</sup> and the surety bond submitted by Westmore in said proceeding is accepted for filing.

(P) Westmore Drilling Co., Inc. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the surety bond filed by Westmore in Docket No. RI65-396 shall remain in full force and effect until discharged by the Commission.

(Q) Applicant in Docket No. CI66-13 shall collect the rate of 13.0 cents per Mcf at 14.65 p.s.i.a. from December 10, 1964, to May 24, 1965, and the rate of 14.0 cents per Mcf at 14.65 p.s.i.a. thereafter.

(R) The Preston Oil Co. (Operator), et al., shall be a co-respondent in the proceeding pending in Docket No. RI62-227 and said proceeding is redesignated accordingly.<sup>3</sup>

(S) Within 30 days from the issuance of this order the Preston Oil Co. (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI62-227 to assure the refund of any amount, together with interest at the rate of 7 percent per annum, collected by it in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(T) The Preston Oil Co. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking filed by Preston in Docket No. RI62-227 shall remain in full force and effect until discharged by the Commission.

(U) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable

Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL]

JOSEPH H. GUTRIE,  
Secretary.

| Docket No. and date filed                       | Applicant                                                                           | Purchaser, field, and location                                                                       | FPC rate schedule to be accepted                                       |     |       |
|-------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----|-------|
|                                                 |                                                                                     |                                                                                                      | Description and date of document                                       | No. | Supp. |
| G-12004<br>D 10-4-65                            | Socony Mobil Oil Co., Inc. (partial abandonment).                                   | Transcontinental Gas Pipe Line Corp., West Gueydan and Outside Island Fields, Vermillion Parish, La. | Notice of partial cancellation (undated). <sup>1</sup>                 | 16  | 26    |
| G-15002<br>D 7-12-65                            | MAPCO Production Co. (Operator) et al. (partial abandonment).                       | Mississippi River Transmission Corp., Woodlawn Field, Harrison County, Tex.                          | Letter 9-28-65 <sup>12</sup>                                           | 4   | 16    |
| G-16345<br>E 10-1-65                            | Elder Oil Co. (successor to R. J. Braden, et al.).                                  | Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.                               | R. J. Braden, et al., FPC GRS No. 4, Notice of succession 9-29-65.     | 1   |       |
|                                                 |                                                                                     |                                                                                                      | Assignment 8-5-65 <sup>1</sup>                                         | 1   | 1     |
|                                                 |                                                                                     |                                                                                                      | Effective date: 8-5-65.                                                |     |       |
| G-18351<br>E 10-1-65<br>D 10-1-65               | Elder Oil Co. (successor to R. J. Braden, et al., d.b.a. South Fork Gas Co.).       | Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.                               | R. J. Braden, et al., d.b.a. South Fork Gas Co., FPC GRS No. 7.        | 2   |       |
|                                                 |                                                                                     |                                                                                                      | Notice of succession 9-29-65.                                          |     |       |
|                                                 |                                                                                     |                                                                                                      | Letter agreement 5-3-65. <sup>1</sup>                                  | 2   | 1     |
|                                                 |                                                                                     |                                                                                                      | Assignment 8-5-65 <sup>1</sup>                                         | 2   | 2     |
|                                                 |                                                                                     |                                                                                                      | Effective date: 8-5-65.                                                |     |       |
| CI62-772<br>E 10-1-65                           | do.                                                                                 | do.                                                                                                  | R. J. Braden, et al., FPC GRS No. 9.                                   | 3   |       |
|                                                 |                                                                                     |                                                                                                      | Notice of succession 9-29-65.                                          |     |       |
|                                                 |                                                                                     |                                                                                                      | Assignment 8-5-65 <sup>1</sup>                                         | 3   | 1     |
|                                                 |                                                                                     |                                                                                                      | Effective date: 8-5-65.                                                |     |       |
| CI62-1000<br>E 9-27-65<br>C 9-27-65             | Janan Oil Co. (Operator), et al. (successor to W. W. Carter (Operator), et al.).    | United Gas Pipe Line Co., South Cabera Creek Field, Goliad County, Tex.                              | W. W. Carter (Operator), et al., FPC GRS No. 5.                        | 1   |       |
|                                                 |                                                                                     |                                                                                                      | Notice of succession (undated).                                        |     |       |
|                                                 |                                                                                     |                                                                                                      | Assignment 9-2-62 <sup>1</sup>                                         | 1   | 1     |
|                                                 |                                                                                     |                                                                                                      | Assignment 5-11-65 <sup>1</sup>                                        | 1   | 2     |
|                                                 |                                                                                     |                                                                                                      | Assignment 7-19-65 <sup>12</sup>                                       | 1   | 3     |
| CI62-1231<br>E 10-1-65                          | Elder Oil Co. (successor to R. J. Braden, et al., d.b.a. Long Run Development Co.). | Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.                               | R. J. Braden, et al., d.b.a. Long Run Development Co., FPC GRS No. 10. | 4   |       |
|                                                 |                                                                                     |                                                                                                      | Notice of succession 9-29-65.                                          |     |       |
|                                                 |                                                                                     |                                                                                                      | Assignment 8-5-65 <sup>1</sup>                                         | 4   | 1     |
|                                                 |                                                                                     |                                                                                                      | Effective date: 8-5-65.                                                |     |       |
| CI63-225<br>E 8-27-65 <sup>1</sup>              | Amex Petroleum Corp. (Operator), et al. (successor to J. M. Flinta, et al.).        | Florida Gas Transmission Co., Bayou-Malley Field, Acadia Parish, La.                                 | J. M. Flinta, et al., FPC GRS No. 3.                                   | 20  |       |
|                                                 |                                                                                     |                                                                                                      | Supplement Nos. 1-2 <sup>1</sup>                                       | 20  | 1-2   |
| CI63-548<br>D 9-29-65                           | Phillips Petroleum Co. (Operator), et al. (partial abandonment).                    | Northern Natural Gas Co., Anadarko Basin Area, Beaver County, Okla.                                  | Notice of partial cancellation 9-27-65. <sup>12</sup>                  | 389 | 6     |
| CI63-603<br>C 9-30-65 <sup>12</sup>             | Elmhurst Oil & Gas Co. (Operator), et al.                                           | Lone Star Gas Co., E. Doyle Field, Stephens County, Okla.                                            | Ratification agreement 7-6-65. <sup>7</sup>                            | 239 | 6     |
| CI63-1206<br>C 10-4-65 <sup>12</sup>            | Texaco Inc.                                                                         | Kansas-Nebraska Natural Gas Co., Inc., Frontier Formation, Alkali Butte Unit, Fremont County, Wyo.   | Letter agreement 8-27-65. <sup>7</sup>                                 | 321 | 2     |
| CI64-2<br>A 7-1-63                              | Skelly Oil Co. <sup>12</sup>                                                        | Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.                                | Contract 6-3-63.                                                       | 189 |       |
| CI64-175<br>C 9-27-65 <sup>12</sup>             | Pan American Petroleum Corp. (Operator), et al.                                     | El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.                                | Amendment 6-13-65. <sup>7</sup>                                        | 363 | 7     |
| CI64-680<br>A 12-11-63<br>2-12-65 <sup>12</sup> | Geological Exploration Co. (Operator), et al.                                       | Lone Star Gas Co., acreage in Rusk County, Tex.                                                      | Contract 11-13-63.                                                     | 1   | 1     |
|                                                 |                                                                                     |                                                                                                      | Letter 1-2-64. <sup>12</sup>                                           | 1   | 2     |
|                                                 |                                                                                     |                                                                                                      | Amendment 3-29-65 <sup>12</sup>                                        | 1   | 3     |
|                                                 |                                                                                     |                                                                                                      | Assignment 1-29-64. <sup>12</sup>                                      | 5   | 1     |
| CI64-731<br>C 9-20-65 <sup>12</sup>             | King Resources Co. (Operator), et al.                                               | Northern Natural Gas Co., Northeast Dover Area, Beaver County, Okla.                                 | Supplemental agreement 3-23-65. <sup>7</sup>                           |     |       |
| CI65-1241<br>A 5-27-65 <sup>12</sup>            | Hunt Oil Co. <sup>12</sup>                                                          | Panhandle Eastern Pipe Line Co., acreage in Woodward and Dewey Counties, Okla.                       | Contract 4-20-65.                                                      | 60  |       |

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

See footnotes at end of table.

<sup>2</sup> Braden Drilling, Inc., and Westmore Drilling Co., Inc. (Operator), et al.

<sup>3</sup> Hassie Hunt Trust and the Preston Oil Co. (Operator), et al.

| Docket No.<br>and date filed        | Applicant                                                                                                                                                                       | Purchaser, field, and<br>location                                                            | FPC rate schedule to be accepted                                                                                                                                                   |                                              | Docket No.<br>and date filed         | Applicant                                                                          | Purchaser, field, and<br>location                                                                             | FPC rate schedule to be accepted                                           |             |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------|
|                                     |                                                                                                                                                                                 |                                                                                              | Description and date of<br>document                                                                                                                                                | No.                                          |                                      |                                                                                    |                                                                                                               | Description and date of<br>document                                        | No.         |
| A 106-13<br>(C 106-106)<br>7-4-65   | Westmore Drilling Co.,<br>Inc. (Operator), et al.<br>(successors to Champion<br>Oil & Refining<br>Co.).                                                                         | Chiles Service Gas Co.,<br>Astron, Mississippi Gas<br>Pool, Barber County,<br>Kans.          | Contract 10-29-65<br>Contract 11-4-65<br>Assignment 1-29-65<br>Assignment 1-29-65<br>Assignment 12-10-64<br>Assignment 12-14-64<br>Assignment 12-14-64<br>Effective date: 12-10-64 | 10<br>10<br>10<br>10<br>10<br>10<br>10<br>10 | C106-273<br>A 10-4-65                | Petroleum Resources,<br>Inc.                                                       | Consolidated Gas Supply<br>Corp., Collins Settlement<br>County, W. Va.                                        | Contract 7-29-65                                                           | 6           |
| C106-43<br>E 10-4-65                | Elder Oil Co. (operator)<br>to R. J. Braden, et al.<br>d.b.a. Long Run De-<br>velopment Co., FPC<br>GRS No. 13                                                                  | Consolidated Gas Supply<br>Corp., Murphy Dis-<br>trict, Kitchie County,<br>W. Va.            | Effective date: 12-10-64<br>E. J. Braden, et al.<br>d.b.a. Long Run De-<br>velopment Co., FPC<br>GRS No. 13                                                                        | 5                                            | C106-273<br>A 10-4-65                | Paulley Petroleum Inc.<br>(Operator), et al.                                       | United Gas Pipe Line<br>Co., Garfield County,<br>Ariz., Frisco County,<br>Tex.                                | Contract 9-7-65                                                            | 6           |
| C106-129<br>C 10-4-65               | Joseph E. Seagram &<br>Sons, Inc., d.b.a.<br>Texas Pacific Oil Co.                                                                                                              | El Natural Gas Co.,<br>Basin Dakota Field,<br>San Juan County,<br>N. Mex.                    | Assignment 8-3-65<br>Effective date: 8-3-65<br>Supplemental agreement<br>9-31-65                                                                                                   | 5<br>1                                       | C106-274<br>(G-10927)<br>B 10-4-65   | Colorado Oil & Gas<br>Corp.                                                        | Panhandle Eastern Pipe<br>Line Co., West Fork<br>Field, Sevier County,<br>Kans.                               | Notice of cancellation<br>10-4-65                                          | 3           |
| A 106-156<br>7-8-19-65              | The Preston Oil Co.<br>(Operator), et al.<br>(successors to Hinkle<br>Hunt Trust).                                                                                              | Texas Gas Transmission<br>Corp., Ellis Field,<br>Acadia Parish, La.                          | Contract 10-31-65<br>Letter agreement 9-25-<br>65                                                                                                                                  | 23<br>22                                     | C106-275<br>A 10-5-65                | Cabot Corp. (SW)<br>(Operator), et al.                                             | Seaboard Natural Gas<br>Co., Bayou Henry<br>Field, Iberville Parish,<br>La.                                   | Contract 9-28-65                                                           | 17          |
| A 106-201<br>(C 106-1164)<br>7-9-65 | Crystal Oil & Land Co.<br>(Operator), et al.<br>(successors to A. G.<br>Hyden & Jimmie B.<br>Myers, d.b.a. Hyden<br>& Myers (Operator),<br>Union Oil Co. of Calif.,<br>et al.). | Landa Oil Co., Orange<br>Grove Field, Jim Wells<br>County, Tex.                              | Assignment 6-17-65<br>Effective date: 6-17-65<br>Contract 7-29-65<br>Assignment 4-4-64<br>Effective date: 4-1-64<br>Assignment 7-10-64<br>Effective date: 7-1-64                   | 23<br>15<br>15<br>2                          | C106-276<br>A 10-4-65                | C. F. Raymond                                                                      | El Paso Natural Gas Co.,<br>serves in La Plata<br>County, Colo.                                               | Contract 9-7-65                                                            | 1           |
| C106-255<br>A 9-20-65               | Edison J. Parsons, et al.                                                                                                                                                       | Southern Union Gather-<br>ing Co., Basin Dakota<br>Field, San Juan County,<br>N. Mex.        | Contract 11-30-64<br>Letter agreement 1-27-<br>65                                                                                                                                  | 109<br>109                                   | C106-277<br>A 10-4-65                | Texas, Inc.                                                                        | Grand Valley Transmis-<br>sion Co., Fence Coun-<br>ty, Utah                                                   | Contract 5-26-65                                                           | 359         |
| C106-260<br>A 9-20-65               | C. C. Cottrill, Agent<br>for North Run Oil &<br>Gas Co.                                                                                                                         | Consolidated Gas Supply<br>Corp., Bishop and<br>Union Districts, Jack-<br>son County, W. Va. | Contract 6-15-65<br>Letter agreement 7-29-<br>65                                                                                                                                   | 1<br>1                                       | C106-279<br>A 10-4-65                | Planner Production<br>Corp. (Operator),<br>et al.                                  | Utah Counties, Utah                                                                                           | Contract 5-26-65                                                           | 30          |
| C106-261<br>A 9-20-65               | Walter E. Smith, et al.,<br>d.b.a. Warner &<br>Edward Smith.                                                                                                                    | Consolidated Gas Supply<br>Corp., McClellan Dis-<br>trict, DeWitt County,<br>W. Va.          | Contract 7-7-65                                                                                                                                                                    | 4                                            | C106-280<br>(G-10921)<br>B 10-4-65   | Ruth I. Penton and D.<br>N. Penton d.b.a.<br>Penton & Penton<br>(Operator), et al. | Packhandle Eastern Pipe<br>Line Co., serves in<br>Moreau County, Kans.                                        | Notice of cancellation<br>6-14-65                                          | 4           |
| C106-264<br>A 9-20-65               | J. R. Dale, et al., d.b.a.<br>Dale Drilling Co.,<br>et al.                                                                                                                      | Consolidated Gas Supply<br>Corp., Sheridan Dis-<br>trict, Calhoun County,<br>W. Va.          | Contract 7-23-65                                                                                                                                                                   | 19                                           | C106-282<br>A 9-29-65                | W. W. Harvey and W.<br>C. Seigurner                                                | Arkansas Louisiana Gas<br>Co., Red Oak Field,<br>Lattimore and Le Flore<br>Counties, Okla.                    | Contract 9-21-65<br>Contract 1-29-65<br>Agreement 3-15-65                  | 1<br>1<br>2 |
| C106-265<br>A 9-30-65               | Bush & Williams, et al.                                                                                                                                                         | Consolidated Gas Supply<br>Corp., Washington<br>District, Calhoun<br>County, W. Va.          | Contract 7-28-65                                                                                                                                                                   | 1                                            | C106-283<br>A 10-4-65                | Seony Mold Oil Co.,<br>Inc.                                                        | Kansas-Nebraska Natural<br>Gas Co., Inc., South-<br>east Liberal Area,<br>DeWitt and Texas<br>Counties, Okla. | Contract 4-29-65                                                           | 375         |
| C106-266<br>A 9-30-65               | James F. Scott, et al.,<br>d.b.a. M. Justice Well<br>No. 1.                                                                                                                     | Consolidated Gas Supply<br>Corp., McClellan Dis-<br>trict, DeWitt County,<br>W. Va.          | Contract 7-29-65                                                                                                                                                                   | 2                                            | A 106-284<br>(C 106-1088)<br>7-10-65 | Jack L. Phillips<br>(successor to Humble<br>& Refining Co.).                       | United Gas Pipe Line<br>Co., Mount Selman<br>Field, Cherokee<br>County, Tex.                                  | Contract 4-26-65<br>Letter Agreement<br>4-29-65<br>Effective date: 8-19-65 | 3<br>3<br>1 |
| C106-267<br>A 9-30-65               | Bowers Drilling Co.,<br>Inc.                                                                                                                                                    | Chiles Service Gas Co.,<br>I. L. S. Field, Barber<br>County, Kans.                           | Contract 9-16-65                                                                                                                                                                   | 5                                            | C106-287<br>A 10-7-65                | Kilroy Properties Inc.,<br>et al.                                                  | Tripartite Gas<br>Pipe Line Corp., North<br>Liberal Field, Ver-<br>million Parish, La.                        | Contract 8-11-65                                                           | 5           |
| C106-268<br>A 9-30-65               | Crystal Oil & Land Co.                                                                                                                                                          | Texas Eastern Trans-<br>mission Corp., North-<br>east Lisbon Area,<br>Calhoun County, La.    | Contract 9-15-65<br>Letter Agreement<br>9-15-65                                                                                                                                    | 14<br>14                                     |                                      |                                                                                    |                                                                                                               |                                                                            |             |
| C106-270<br>A 10-4-65               | Caroline Grues, et al.                                                                                                                                                          | Mountain Free Supply Co.,<br>South Beers Unit,<br>Carbon County, Wyo.                        | Contract 9-9-65                                                                                                                                                                    | 1                                            |                                      |                                                                                    |                                                                                                               |                                                                            |             |
| C106-271<br>A 10-4-65               | Petroleum Promotions,<br>Inc.                                                                                                                                                   | Consolidated Gas Supply<br>Corp., Glenview Dis-<br>trict, Glenview County,<br>W. Va.         | Contract 9-5-65                                                                                                                                                                    | 16                                           |                                      |                                                                                    |                                                                                                               |                                                                            |             |

See footnotes at end of table.

Source of gas depleted.  
Effective date: Date of this order.  
Assigns service from R. J. Braden, et al., to Elder Oil Co.  
Letter agreement between R. J. Braden, et al., and Consolidated debiting acreage from basic contract for failure to fulfill drilling commitments required by original lease. Braden did not file to delete such acreage.  
Assignment whereby Jaxon Oil Co. acquired certain interests in the acreage dedicated to the basic contract (40 acres) plus interest in an additional 24 acres, effective Sept. 2, 1962 and May 11, 1965.  
Adds acreage and reflects Jaxon Oil Co. as the seller party.  
Effective date: Date of initial delivery.  
Amendment to the certificate filed by Amex Petroleum Corp. (Operator), et al., to succeed J. M. Fialls et al. as operator only.  
Amex Petroleum Corp. is signatory to the basic contract. All parties will retain their respective interest.  
July 1, 1967, moratorium date pursuant to Commission's Statement of General Policy 61-2, as amended.  
Adopts basic contract of Sinclair to include interest of co-owner, McCasland, Inc.  
January 1, 1968, moratorium date pursuant to Commission's Statement of General Policy 61-4, as amended.  
By letter filed Oct. 28, 1965, Applicant advised willingness to accept a permanent certificate providing for both an upward and a downward B.H.U. price adjustment, from a base of 1,000 B.H.U.'s per cubic foot, pursuant to Opinion No. 464.  
Applicant requests that its certificate application be amended to reflect designation to (Operator), et al.  
Supp. accepts conditions of temporary certificate dated Dec. 31, 1963.  
Amends contract to eliminate indefinite pricing provisions.  
Transfers acreage from Geological Exploration Co. to "et al." parties. Effective date Mar. 15, 1965, applies only to Supp. No. 1. All other filings have been previously accepted.  
By letter filed Oct. 28, 1965, Applicant advised willingness to accept a permanent certificate upon the same terms as the temporary (Operator) No. 300, excluding "B-20" condition.  
Between Braden Drilling Co. and Chiles Service—adopts terms of contract between Champaign Oil & Refining Co. and Chiles Service (Supp. No. 1); on file as Braden Drilling, Inc., FPC GRS No. 8.

- \* Contains 100 percent take-or-pay provision with 2-year make up period.
- \* Deletes indefinite pricing provisions from contract.
- \* From Champlin Oil & Refining Co., et al. to Braden Drilling, Inc.
- \* From Braden Drilling, Inc., to K & E Drilling, Inc. (K & E's interest to be covered by Westmore).
- \* Assignment of  $\frac{1}{2}$  interest from K & E Drilling, Inc., to Barnett Oil Co. (Barnett's interest to be covered by Westmore).
- \* Assignment of  $\frac{1}{4}$  interest each to H. W. Skinner Grains Lumber Co., Inc., and Westmore Drilling Co., Inc. (Skinner's interest to be covered by Westmore).
- \* Basic contract between Hassie Hunt Trust and Texas Gas Transmission Corp.; on file as Hassie Hunt Trust FPC GRS No. 20.
- \* Corrects errors in Exhibit A of basic contract.
- \* Transfers the interest from Hassie Hunt Trust to the Preston Oil Co. Hunt retains a 30 percent overriding royalty on oil, other hydrocarbons, and gas, including casinghead gas, and other gaseous substances.
- \* Basic contract between J. T. Reaves and Jimmie B. Myers d.b.a. Reaves & Myers (sellers) and J. A. Heard, Trustee (buyer and predecessor of Landa Oil Co.). Contract presently on file as A. G. Hyden & Jimmie B. Myers d.b.a. Hyden & Myers (Operator), et al.
- \* Assignment from Glenn Hyden and Jimmie B. Myers to Crystal Oil and Land Co.
- \* Provides for last periodic increase to end on Dec. 31, 1978 and for redetermination for the period commencing Jan. 1, 1979 and ending upon termination.
- \* Adds acreage.
- \* Amends quantity provision.
- \* Ratifies contract between buyer and Joseph E. Seagram & Sons, Inc., dated Jan. 29, 1962, as amended.
- \* Basic contract between Humble Oil & Refining Co. and buyer; on file as Humble's FPC GRS No. 267.

[F.R. Doc. 65-12764; Filed, Nov. 30, 1965; 8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 16684]

### INCREASED EASTERN AIR LINES JET FARES

#### Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on December 7, 1965, at 10 a.m., e.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Robert L. Park.

Dated at Washington, D.C., November 24, 1965.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 65-12838; Filed, Nov. 30, 1965; 8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 92]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 26, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of

the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 4941 (Sub-No. 23 TA), filed November 23, 1965. Applicant: QUINN FREIGHT LINES, INC., 1093 North Montello Street, Brockton, Mass. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass., 02108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coal cutting and mine drilling machines, and parts thereof, from Claremont, N.H., to points in Kentucky, for 180 days. Supporting shipper: Joy Manufacturing Co., 61 Main Street, Claremont, N.H. Send protests to: Richard D. Mansfield, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110.

No. MC 59640 (Sub-No. 1 TA), filed November 23, 1965. Applicant: PAULS TRUCKING CORPORATION, 209 Walter Street, South Plainfield, N.J. Applicant's representative: Charles J. Williams, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise, as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between Cranford, N.J., on the one hand, and, on the other, points in Suffolk County, N.Y., and Bucks County, Pa., under a continuing contract or contracts with Supermarkets Operating Co., of Union, N.J., for 150 days. Supporting shipper: Supermarkets Operating Co., 1416 Morris Avenue, Union, N.J., 07083. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 107403 (Sub-No. 655 TA), filed November 23, 1965. Applicant: MALLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a common carrier, by motor vehicle,

over irregular routes, transporting: Sodium sulphate (salt cake), in bulk, in tank vehicles, from Lewistown, Pa., to Baltimore, Md., for 150 days. Supporting shipper: FMC Corp., 633 Third Avenue, New York, N.Y., 10017. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 110525 (Sub-No. 757 TA), filed November 23, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Resins, dry, in bulk, in tank or hopper-type vehicles, from the plantsite of the Pantasote Corp. at or near Point Pleasant (Mason County), W. Va., to points in Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois (except points in Bond, Clinton, Jersey, Madison, Monroe, Perry, Randolph, St. Clair, and Washington Counties), Indiana, Iowa (except points on and west of U.S. Highway 67), Kentucky, Louisiana (except points on and west of U.S. Highway 67), Maine (except points in Aroostook and Penobscot Counties), Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: The Pantasote Co., 26 Jefferson Street, Passaic, N.J. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Courthouse, Philadelphia, Pa., 19106.

No. MC 119268 (Sub-No. 51 TA), filed November 23, 1965. Applicant: OSBORN, INC., 228 North Fourth Street, Post Office Box 649, Gadsden, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tufted textile products, carpeting and rugs, from points in Georgia, to points in Idaho, Oregon, Utah, and Washington, for 180 days. Supporting shippers: Trend Mills, Inc., Post Office Box 162, Rome, Ga.; Dan River Carpets, Post Office Box 249, Cartersville, Ga., 30120; J&C Carpet Co., Inc., Ellijay, Ga., 30540; E. T. Barwick Mills, Inc., Post Office Box 651, Dalton, Ga.; Trinity Carpets, Inc., Chatsworth, Ga.; Beautytuft, Inc., Post Office Box 789, Rossville, Ga.; Moccasin Bend Carpet Mills, Inc., Post Office Box 789, Rossville, Ga., 30741; Mir Mar Mills, Inc., Post Office Box 8236, Chattanooga, Tenn.; O. W. Jorges & Sons, Inc., Peerless Building, Post Office Box 789, Rossville, Ga.; and Philadelphia Carpet Co., Cartersville, Ga., 30120. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1325

City Federal Building, Birmingham, Ala., 35203.

No. MC 119268 (Sub-No. 52 TA), filed November 23, 1965. Applicant: OSBORN, INC., 228 North Fourth Street, Post Office Box 649, Gadsden, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tufted textile products, carpeting and rugs*, from Chattanooga, Tenn., to points in Idaho, Oregon, Utah, and Washington, for 180 days. Supporting shipper: Heritage Carpet Mills, 1428 Park Avenue, Chattanooga, Tenn., 37408. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1325 City Federal Building, Birmingham, Ala., 35203.

No. MC 124170 (Sub-No. 10 TA), filed November 23, 1965. Applicant: FROSTWAYS, INC., 2450 Scotlen, Detroit, Mich., 48209. Applicant's representative: Robert D. Schuler, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission in section A of appendix I of 61 MCC 209 and 766, from Detroit, Mich., to points in Ohio, for 150 days. Supporting shippers: Crown Packing Co., 2900 Orleans, Detroit, Mich., 48207; Great Markwestern Packing Co., 1825 Scott Street, Detroit, Mich., 48207; Orleans Poultry Co., 3031 Russell Street, Detroit, Mich., 48207; Kay Packing, Inc., 2800 Standish, Detroit, Mich., 48232; and Gumsberg Bros. Packing Co., 2001 Brewster Street, Detroit, Mich., 48207. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1110 Broderick Tower, 10 Withersell, Detroit, Mich., 48226.

No. MC 124328 (Sub-No. 19 TA), filed November 23, 1965. Applicant: BRINK'S, INCORPORATED, 234 East 24th Street, Chicago, Ill., 60616. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Currency, coin and securities*, between Boston, Mass., and Brattleboro, Bellows Falls, and Springfield, Vt., for 150 days. Supporting shipper: Federal Reserve Bank of Boston, Boston, Mass. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill., 60604.

No. MC 127730 TA, filed November 23, 1965. Applicant: A. A. A. CARTAGE, INC., 8636 West Harrison Avenue, Milwaukee, Wis., 53227. Applicant's representative: Wm. C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis., 53203. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household

goods, as defined by the Commission, commodities requiring special equipment, commodities in bulk, class A and B explosives, and those injurious or contaminating to other lading), restricted to the transportation of shipments having an immediately prior or subsequent movement by air, between O'Hare Air Field, Cook County, Ill., on the one hand, and, on the other, points in Milwaukee County, Wis., under a continuing contract with Airborne Freight Corp., for 180 days. Supporting shipper: Airborne Freight Corp., International Airport, San Francisco 28, Calif.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12819; Filed, Nov. 30, 1965;  
8:46 a.m.]

[Notice 375]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 26, 1965.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC 3560 (Deviation No. 7), GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo., 80223; Carrier's representative: Ken Wolford (same address as applicant), filed November 12, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between junction U.S. Highway 30 and the Pennsylvania Turnpike near Irwin, Pa., and Lancaster, Pa., over U.S. Highway 30, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follow: (1) From Canton, Ohio, over U.S. Highway 30 to junction Pennsylvania Turnpike near Irwin, Pa., thence over the Pennsylvania Turnpike to junction U.S. Highway 11, thence over U.S. Highway 11 to Harrisburg, Pa.; and (2) from Canton, Ohio, to Harrisburg, Pa., as described

above, thence over U.S. Highway 230 to Lancaster, Pa.; and return over the same routes.

No. MC 5888 (Deviation No. 3), MID-AMERICAN TRUCK LINES, INC., 912 Baltimore Avenue, Suite 508, Kansas City, Mo., 64105, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to junction Interstate Highway 270 (west of St. Louis, Mo.), thence over Interstate Highway 270 to junction U.S. Highway 66 (and completed portions of Interstate Highway 55), thence over U.S. Highway 66 (and completed portions of Interstate Highway 55) to junction U.S. Highway 36 at Springfield, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follow: (1) From St. Joseph, Mo., over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 to Chicago, Ill.; (2) from Plattsburg, Mo., over Missouri Highway 116 to junction U.S. Highway 169, thence over U.S. Highway 169 to Kansas City, Kans.; (3) from Lathrop, Mo., over Missouri Highway 116 to junction U.S. Highway 169, thence over U.S. Highway 169 to St. Joseph, Mo.; (4) from Kansas City, Mo., over U.S. Highway 40 to Victory Junction, Kans., thence over U.S. Highway 73 to Hiawatha, Kans.; and (5) from St. Joseph, Mo., over U.S. Highway 59 to Lawrence, Kans.; and return over the same routes.

No. MC 5888 (Deviation No. 4), MID-AMERICAN TRUCK LINES, INC., 912 Baltimore Avenue, Suite 508, Kansas City, Mo., 64105, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over Interstate Highway 70 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction U.S. Highway 36 west of Pittsfield, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follow: (1) From St. Joseph, Mo., over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 to Chicago, Ill.; (2) from Plattsburg, Mo., over Missouri Highway 116 to junction U.S. Highway 169, thence over U.S. Highway 169 to Kansas City, Kans.; (3) from Lathrop, Mo., over Missouri Highway 116 to junction U.S. Highway 169, thence over U.S. Highway 169 to St. Joseph, Mo.; (4) from Kansas City, Mo., over U.S. Highway 40 to Victory Junction, Kans., thence over U.S. Highway 73 to Hiawatha, Kans.; and (5) from St. Joseph, Mo., over U.S. Highway 59 to Lawrence, Kans.; and return over the same routes.

No. MC 109095 (Deviation No. 11), ANDERSON MOTOR SERVICE, INC., 1516 East 14th Street, St. Louis, Mo., 63106, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities,

with certain exceptions, over a deviation route as follows: Between junction U.S. Highway 224 and Interstate Highway 71 and Cleveland, Ohio, over Interstate Highway 71, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Akron, Ohio, over U.S. Highway 224 to junction Ohio Highway 4, thence over Ohio Highway 4 to junction U.S. Highway 20, thence over U.S. Highway 20 to Cleveland, Ohio, and return over the same route.

No. MC 111231 (Deviation No. 25), JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark., 72764, filed November 18, 1965. Carrier proposes to operate as a common carrier, by motor vehicle of general commodities, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over Interstate Highway 40 to junction with U.S. Highway 69 near Checotah, Okla., thence over U.S. Highway 69 to Muskogee, Okla., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: Between Oklahoma City, Okla., and Muskogee, Okla., over U.S. Highway 62.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 275), GREYHOUND LINES, INC. (EASTERN GREYHOUND LINES DIVISION), 1400 West 3d Street, Cleveland, Ohio, 44113, filed November 12, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over deviation routes as follows: (1) From Newport News, Va., Patrick Henry Interchange, Interstate Highway 64 (junction Interstate Highway 64 and Virginia Highways 143 and 168), over Interstate Highway 64 to junction Virginia Highway 168, Camp Peary Interchange, Interstate Highway 64 (northwest of Williamsburg, Va.); (2) from junction Interstate Highway 64 and Virginia Highway 105 (Newport News, Va.), over Virginia Highway 105 to junction U.S. Highway 60 (Newport News, Va.); (3) from junction Interstate Highway 64 and Virginia Highway 105 (Newport News, Va.), over Virginia Highway 105 to junction Virginia Highway 168 (Newport News, Va.); (4) from Williamsburg, Va., eastbound over Virginia Highway 168 to junction access road to Interstate Highway 64 near the western city limits of Newport News, Va., thence over access road to Interstate Highway 64; (5) from junction Interstate Highway 64 and access road to Virginia Highway 168 west of York-James City County Line, over access road to Virginia Highway 168, thence over Virginia Highway 168 to Williamsburg, Va.; (6) from Williamsburg, Va., over Virginia Highway 168 to junction Interstate Highway 64 at Camp Peary Interchange, Interstate Highway 64; (7) from Bottoms Bridge, Va. (junction U.S. Highway 60 and Virginia Highway 33), over Virginia Highway 33 to junction Interstate Highway 64, thence over Interstate Highway 64 to junction Virginia Highway 672 (Laburnum Avenue), thence over Virginia Highway 672 to Richmond, Va. (junction U.S. Highway 1); (8) from Interchange Interstate Highway 64 and 60 Connector Access Highway, over 60 Connector Access Highway to junction U.S. Highway 60 west of Sandston, Va.; and (9) from Interstate Highway 64, Camp Peary Interchange via the Camp Peary Interchange and Security Road, to Camp Peary; and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows:

(1) From Morrison, Va., over U.S. Highway 60 to Lee Hall, Va., thence over Virginia Highway 168 to junction Virginia Highway 238, thence over Virginia Highway 238 to Yorktown, Va.; (2) from Fortress Monroe, Va., over U.S. Highway 60 via Newport News, Va., to junction U.S. Highway 17; (3) from Lee Hall, Va., over U.S. Highway 60 to junction Virginia Highway 174, thence over Virginia Highway 174 to junction Virginia Highway 238, thence return over Virginia Highway 174 to junction U.S. Highway 60, thence over U.S. Highway 60 to Richmond, Va.; (4) from Williamsburg, Va., over Virginia Highway 5 (formerly shown as portion of Virginia Highway 168), to junction Virginia Highway 168, thence over Virginia Highway 168 to Newport News, Va.; (5) from Williamsburg, Va., over the Colonial Highway (formerly National Highway) to Yorktown, Va., thence over U.S. Highway 17 to junction Virginia Highway 168; (6) from Norfolk, Va., over Hampton Roads Bridge-Tunnel route to junction Virginia Highway 168; (7) from junction Virginia Highways 168 and 162 over Virginia Highway 168 via junction Virginia Highway 31 to junction Virginia Highway 168Y, thence over Virginia Highway 168Y to junction U.S. Highway 60; and (8) from Williamsburg, Va., over Virginia Highway 31 to junction Virginia Highway 168; and return over the same routes.

No. MC 1515 (Deviation No. 276), GREYHOUND LINES, INC. (CENTRAL GREYHOUND LINES DIVISION), 210 East 9th Street, Forth Worth, Tex., 76102, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: From the North Dakota-Montana State line over Interstate Highway 94 to Billings, Mont., thence over Interstate Highway 90 to Butte, Mont., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Casselton, N. Dak., over North Dakota Highway 18 to junction U.S. Highway 10, thence over U.S. Highway 10 to Billings, Mont.; and (2) from Billings, Mont., over U.S. Highway 10 to junction U.S. Highway 10S, thence over U.S. Highway 10S to Butte, Mont.; and return over the same routes.

No. MC 1515 (Deviation No. 277), GREYHOUND LINES, INC. (CENTRAL GREYHOUND LINES DIVISION), 210 East 9th Street, Forth Worth, Tex., 76102, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: Between Butte, Mont., and Great Falls, Mont., over Interstate Highway 15, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same passengers and the same property over a pertinent service route as follows: Between Butte, Mont., and Great Falls, Mont., over U.S. Highway 91.

way 10S, thence over U.S. Highway 10S to Butte, Mont.; and return over the same routes.

No. MC 1515 (Deviation No. 277), GREYHOUND LINES, INC. (CENTRAL GREYHOUND LINES DIVISION), 210 East 9th Street, Forth Worth, Tex., 76102, filed November 15, 1965. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage and express and newspapers, in the same vehicle with passengers, over a deviation route as follows: Between Butte, Mont., and Great Falls, Mont., over Interstate Highway 15, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same passengers and the same property over a pertinent service route as follows: Between Butte, Mont., and Great Falls, Mont., over U.S. Highway 91.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-12820; Filed, Nov. 30, 1965;  
8:46 a.m.]

[Notice 849]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 26, 1965.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING

##### MOTOR CARRIERS OF PROPERTY

No. MC 52458 (Sub-No. 203) (Amendment), filed August 30, 1965, published in FEDERAL REGISTER issue of September 9, 1965, amended November 12, 1965, and republished as amended this issue. Applicant: T. I. McCORMACK TRUCKING CO., INC., U.S. Route 9 at Green Street, Woodbridge, N.J., 07095. Applicant's representative: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soda ash, in bulk, in tank or hopper type vehicles, from Solvay, N.Y., to Carteret, N.J. Note: The purpose of this republication is to more clearly set forth the territorial description.

HEARING: December 13, 1965, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William E. Messer.

No. MC 109064 (Sub-No. 11) (Amendment), filed November 12, 1965, amended November 18, 1965, and republished, as amended, this issue. Applicant: TEX-O-KA-N TRANSPORTATION COMPANY, INC., 221 Northeast 28th Street, Post Office Box 4278, Fort Worth, Tex. Applicant's representative: Clayte Binton, Century Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, between points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to broaden the proposed operation.

HEARING: Remains as assigned December 13, 1965, at the Baker Hotel, Dallas, Tex., before Examiner Wm. N. Culbertson.

No. MC 115491 (Sub-No. 77) (Amendment), filed September 13, 1965, published in FEDERAL REGISTER issue of September 30, 1965, amended November 12, 1965, and republished as amended, this issue. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of Carolina Paper Mills, Inc., at or near Rockingham, N.C., to Dothan, Ala., points in Florida, and points in Georgia, on and south of U.S. Highway 80. NOTE: The purpose of this republication is to add Dothan, Ala., to the destination states.

HEARING: Remains as assigned January 21, 1966, at the Mayflower Hotel, Jacksonville, Fla., before William A. Royal.

Nos. MC 111729 (Sub-No. 79) MC 111729 (Sub-No. 95), and MC 111729 (Sub-No. 102) (Corrected republication), filed May 14, June 17, and June 25, 1965, respectively, published FEDERAL REGISTER issues of June 3, July 9, July 21, and November 17, 1965, respectively, and republished, this issue. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington, D.C. This republication is to correct the publication of the findings in Order of the Commission, Operating Rights Board No. 1, dated October 28, 1965, and served November 3, 1965. Part (1) (c) of the publication of the findings should have read: "Between Clarksburg, W. Va., on the one hand, and, on the other, Alliance and Columbiana, Ohio," and Part (4) (c) of the publication of the findings, erred in the spelling of the city of Morehead, Ohio.

No. MC 118756 (Sub-No. 1) (Republication), filed June 21, 1965, published FEDERAL REGISTER issue of July 21, 1965, and republished, this issue. Applicant: LLOYD R. McCANDLISH, doing business as McCANDLISH TRUCKING, 302 Mulberry Street, Bremen, Ohio. Appli-

cant's representative: Paul F. Beery, Columbus Center, 100 East Broad Street, Columbus, Ohio. By application filed June 21, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of the commodity, from and to the points indicated below in seasonal operations between April and October. An Order of the Commission, Operating Rights Board No. 1, dated November 17, 1965, and served November 23, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *chain*, from Bremen, Ohio, to Toledo and Cleveland, Ohio; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 123327 (Sub-No. 5) (Republication), filed April 9, 1965, published FEDERAL REGISTER issue of April 28, 1965, and republished, this issue. Applicant: RALPH M. BARTHOLOMEW, doing business as IRELAND TRANSFER & STORAGE CO., 102 Front Street, Ketchikan, Alaska. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. By application filed April 9, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of the commodities, between the points substantially as indicated in the findings below. An Order of the Commission, Operating Rights Board No. 1, dated November 17, 1965, and served November 23, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *household goods*, as defined by the Commission, between points in Alaska south and east of the international boundary line between the United States and Canada north of Haines, Alaska, on the one hand, and, on the other, Tok Junction, Alaska, and Blaine and Sumas, Wash., restricted to the transportation of traffic which has been received or delivered to connecting carriers; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate

Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126537 (Sub-No. 6) (Republication), filed March 12, 1965, published FEDERAL REGISTER issue of April 1, 1965, and republished, this issue. Applicant: KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER, a partnership, doing business as TURNER EXPEDITING SERVICE, Post Office Box 21132, Louisville, Ky. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. By application filed March 12, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of the commodities, and between the points indicated below, and restricted to the handling of shipments originally tendered for movement as airfreight and shipped by an airfreight carrier in substitution for air service. An order of the Commission, Operating Rights Board No. 1, dated November 10, 1965, and served November 18, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier, by motor vehicle, over irregular routes, of *general commodities*, except classes A and B explosives, between Standiford Field, Louisville, Ky., on the one hand, and, on the other, O'Hare Field, Chicago, Ill.; that applicants are fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections

5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F-9113 (HIRSCHBACH MOTOR LINES, INC.—CONTROL—BEAR MOUNTAIN MOTOR EXPRESS, INC.), published in the May 20, 1965, issue of the FEDERAL REGISTER on page 6894. By order dated October 7, 1965, by the Commission, Finance Board No. 1, the application was approved and authorized with a provision that certain operating rights of BEAR MOUNTAIN MOTOR EXPRESS, INC., be canceled concurrently with consummation. By petition and amendment filed November 19, 1965, applicants seek to reopen or reconsider the proceeding on the basis of amending the application whereby HIRSCHBACH MOTOR LINES, INC., seeks to purchase the following portion of the operating rights of BEAR MOUNTAIN MOTOR EXPRESS, INC.: Bananas, as a common carrier, over irregular routes, from New Orleans, La., to Lincoln and Hastings, Nebr., and Casper, Wyo., from Gulfport, Miss., to points in Kansas, Missouri, and Wyoming, from New Orleans, La., to Scottsbluff, McCook, and Holdrege, Nebr., and Topeka and Salina, Kans., from Mobile, Ala., to Topeka and Salina, Kans., Lincoln, Hastings, Scottsbluff, McCook, and Holdrege, Nebr., Salt Lake City, Utah, and Casper, Wyo.

No. MC-F-9265. Authority sought for control and merger by AERO TRUCKING, INC., Box 278, Rural Delivery No. 1, Oakdale, Pa., of the operating rights and property of McDADE TRANSFER CORPORATION, Post Office Box 152, 3310 Old William Penn Highway, Monroeville, Pa., and for acquisition by EDWARD J. CONTO, also of Oakdale, Pa., of control of such rights and property through the transaction. Applicants' attorney: Paul F. Beery, 100 East Broad Street, Columbus, Ohio, 43215. Operating rights sought to be controlled and merged: Building materials, and construction supplies used in connection therewith, commodities (including accessories thereof), requiring rigging and erecting equipment, and machinery, as a common carrier, over irregular routes, between points in Maryland, Virginia, West Virginia, Delaware, Pennsylvania, New York, New Jersey, and the District of Columbia; aircraft assembly tools, jigs, and fixtures, which by reason of their size or weight require the use of special equipment, from Middle River, Md., to Garland and Brady, Tex.; and completed aircraft wings, from Brady, Tex., to Middle River, Md. AERO TRUCKING, INC., is authorized to operate as a common carrier in Ohio, Pennsylvania, West Virginia, Illinois, Kentucky, Michigan, New York, Wisconsin, Indiana, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, Rhode Island, Virginia, Tennessee, Alabama, Mississippi, Maine, New Hampshire, Vermont, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9266. Authority sought for control and merger by B & P MOTOR

EXPRESS, INC., 51st Street and A.V.R.R., Pittsburgh, Pa., 15201, of the operating rights and property of BRISTOW LINES, Post Office Box 711, Richmond, Va., 23206. Applicants' attorneys: Samuel P. Delisi, 1515 Park Building, Pittsburgh, Pa., 15222, and L. Paul Byrne, 810 Insurance Building, 10 South 10th Street, Richmond, Va., 23207. Operating rights sought to be controlled and merged: General commodities, excepting among others, household goods and commodities in bulk, as a common carrier, over regular routes, between Richmond, Va., and Baltimore, Md., serving all intermediate points unrestricted; and the off-route points of Amphill, Richmond General Depot, near Amphill, and Richmond Deepwater Terminal, Va., restricted against the transportation of livestock, two alternate routes for operating convenience only. B & P MOTOR EXPRESS, INC., is authorized to operate as a common carrier in Wisconsin, Ohio, Illinois, Pennsylvania, Maryland, Virginia, Michigan, Indiana, West Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9267. Authority sought for purchase by HAROLD F. DUSHEK, INC., 10th and Columbia Streets, Waupaca, Wis., of the operating rights and certain property of RALPH L. VOLK, doing business as VOLK'S TRUCKING, Post Office Box 186, Rock Springs, Wis., and for acquisition by HAROLD F. DUSHEK and MARGARET DUSHEK, both of 406 East Lake Street, Waupaca, Wis., of control of such rights and property through the purchase. Applicants' attorney: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis., 53705. Operating rights sought to be transferred: Condensed whey, as a common carrier, over irregular routes, from Hillpoint, Wis., to points in Illinois, Indiana, Iowa, Minnesota, and Wisconsin, within 350 miles of Hillpoint; materials, equipment, and supplies, used in the production of condensed whey, from points in Illinois, Indiana, Iowa, Minnesota, and Wisconsin, within 350 miles of Hillpoint, Wis., to Hillpoint, Wis.; animal feed and poultry feed, from certain specified points in Iowa, to certain specified points in Wisconsin; animal and poultry feed, from certain specified points in Minnesota, to certain specified points in Wisconsin; fertilizer, from Winona, Minn., to certain specified points in Wisconsin; and feed and fertilizer, between certain specified points in Wisconsin, on the one hand, and, on the other, Cedar Rapids, Iowa, and certain specified points in Illinois. Vendee is authorized to operate as a common carrier in Michigan, Wisconsin, Illinois, Iowa, Minnesota, North Dakota, South Dakota, Indiana, Ohio, and Missouri. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9268. Authority sought for purchase by JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, of the operating rights and property of DEWELL WILLIAM HOSKINS, doing business as HOSKINS' TRUCK SERVICE, 5th and Vine Streets, Malvern, Ark., and for acquisition by ROBERT L.

JENKINS, also of Bettendorf, Iowa, of control of such rights and property through the purchase. Applicants' attorneys: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn., and Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. Operating rights subject to be transferred: Lumber, as a common carrier, over irregular routes, from certain specified points in Arkansas, to Memphis, Tenn., and points in Oklahoma, Kansas, and Missouri, from certain specified points in Arkansas, to points in Tennessee within 10 miles of Memphis, Tenn., from certain specified points in Arkansas, to points in Texas, from certain specified points in Arkansas, to points in Illinois and Indiana, from certain specified points in Arkansas, to points in Iowa, from certain specified points in Arkansas to points in Illinois and Indiana, from Warren, Ark., to Peshigo, Wis., points in Kentucky, and points in the Lower Peninsula of Michigan, from certain specified points in Arkansas to Peshigo, Wis., from certain specified points in Arkansas, to points in Kentucky and Wisconsin, and those in the Lower Peninsula of Michigan, from certain specified points in Arkansas, to points in Iowa, Nebraska, and Tennessee (except Memphis); tractors and stationary engines and attachments and parts therefor when moving incidental to and in the same vehicle with tractors and stationary engines (not including tractors with vehicle beds, bed frames, or fifth wheels, nor any of the above-specified commodities which, because of size or weight, require the use of special equipment), from certain specified points in Iowa to points in Arkansas and Louisiana.

Restricted: The authority granted immediately above shall not be combined or joined directly or indirectly with any other authority held by carrier for the purpose of performing any through service; and lumber and millwork, from Warren, Ark., to Omaha, Nebr., and points in Iowa, Minnesota, Ohio, and Tennessee; and in pending Docket No. MC-96025 Sub-27, covering the transportation of (1) tractors (not including tractors with vehicle beds, bed frames or fifth wheels), (2) agricultural machinery and implements, (3) industrial and construction machinery and equipment, (4) equipment designed for use in conjunction with tractors, (5) trailers designed for the transportation of commodities described above (other than those designed to be drawn by passenger automobiles), (6) attachments for the commodities described above, (7) internal combustion engines, and (8) parts of the commodities described in (1) through (7) above, when moving in mixed loads with such commodities, as a common carrier, over irregular routes, from the plant, warehouse sites, and experimental farms of Deere & Company located in Black Hawk and Dubuque Counties, Iowa, to points in Arkansas and Louisiana and returned, damaged and rejected shipments, on return, restricted to traffic originating at the plant, warehouse sites, and experimental farms named above.

Vendee is authorized to operate as a common carrier in all States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a (b).

No. MC-F-9269. Authority sought for purchase by DRAKE MOTOR LINES, INC., York Street and Aramingo Avenue, Philadelphia, Pa., of a portion of the operating rights of LONG ISLAND DELIVERY CO., INC., Central Avenue, Farmingdale, N.Y., and for acquisition by MARTIN SHULMAN, HARRY SHULMAN, and the ESTATE OF BENJAMIN SHULMAN, all of Philadelphia, Pa., of control of such rights through the purchase. Applicants' attorneys: Herbert Burstein, 160 Broadway, New York, N.Y., and William Biederman, 280 Broadway, New York, N.Y. Operating rights sought to be transferred: General commodities, except class A and B explosives, dangerous chemicals, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, as a common carrier, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Bergen, Hudson, and Essex Counties, N.J., points in that part of Passaic County, N.J., east and south of an imaginary straight line running from Riverdale, N.J., to Oakland, N.J., and points in that part of Union County, N.J., east of an imaginary straight line running from the northern boundary of Union County through Union, and Rahway, N.J., to the southern boundary of Union County. Vendee is authorized to operate as a common carrier in Pennsylvania, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Ohio, Missouri, Kansas, Arkansas, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, Illinois, Indiana, Michigan, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9270. Authority sought for purchase by PEOPLES EXPRESS CO., 497 Raymond Boulevard, Newark, N.J., of the operating rights of RICO TRANSPORTATION CO., INC., 360-380 Mount Pleasant Avenue, Wallington, N.J., and for acquisition by PHILIP L. DAMEO, 116 Fairfield Drive, Short Hills, N.J., of control of such rights through the purchase. Applicants' attorney and representatives: Morton E. Kiel and Bert Collins, both of 140 Cedar Street, New York, N.Y., and John Zachara, 192 McKinley Place, Ridgewood, N.J. Operating rights sought to be transferred: General commodities, except those of unusual value, and except dangerous explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a common carrier, over irregular routes, between points in Sussex, Passaic,

Bergen, Essex, Morris, Warren, Union, Hunterdon, Somerset, Middlesex, Mercer, and Monmouth Counties, N.J., and that part of Burlington County, N.J., on and north of New Jersey Highway 40, on the one hand, and, on the other, New York, N.Y., and points in Nassau and Westchester Counties, N.Y. Vendee is authorized to operate as a common carrier in New York and New Jersey. Application has been filed for temporary authority under section 210a(b).

#### MOTOR CARRIER OF PASSENGERS

No. MC-F-9264. Authority sought for purchase by PROVIDENCE ARROW LINE, INC., Room 2211, 625 Eighth Avenue, New York, N.Y., of a portion of the operating rights of THE CHIEPPO BUS COMPANY, 192 Forbes Avenue, New Haven, Conn., and for acquisition by THOMAS STELMASZEK, EDWARD STELMASZEK, and SOPHIE STELMASZEK, and SUPER SERVICE BUS CO., all of Route 35, South Amboy, N.J., of control of such rights through the purchase. Applicants' attorneys: John R. Sims, Jr., 1750 Pennsylvania Avenue NW, Washington, D.C., 20006, and Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Operating rights sought to be transferred: Passengers and their baggage, and express, mail and newspapers in the same vehicle with passengers, as a common carrier, over regular routes, between New Milford, Conn., and Ridgefield, Conn., serving all intermediate points; passengers and their baggage, between Danbury, Conn., and Brewster, N.Y., serving all intermediate points; and passengers and their baggage, and express mail, and newspapers in the same vehicle with passengers, and baggage of passengers in a separate vehicle, between Danbury, Conn., and South Norwalk, Conn., between Branchville, Conn., and Ridgefield, Conn., serving all intermediate points. Vendee is authorized to operate as a common carrier in Connecticut, New York, Rhode Island, and Massachusetts. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 65-12821; Filed, Nov. 30, 1965;  
8:46 a.m.]

[Notice 851]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 26, 1965.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

*Special notice.* The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a

result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING

##### MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

##### SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 115491 (Sub-No. 62) (Republication), filed March 29, 1965, published FEDERAL REGISTER issue of April 14, 1965, amended October 26, 1965, republished November 11, 1965, and republished this issue. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridges Avenue, Auburndale, Fla. Applicant's representative: M. Craig Massey, 223 South Florida Avenue, Post Office Drawer J, Lakeland, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from points in Cameron and Hidalgo Counties, Tex., to points in Minnesota, Iowa, Nebraska, Colorado, Oklahoma, Arkansas, Louisiana, Mississippi, Wisconsin, Michigan, Illinois, Indiana, Kentucky, Tennessee, Alabama, Ohio, Georgia, North Carolina, South Carolina, Florida, Virginia, West Virginia, Pennsylvania, New York, New Jersey, Maryland, Delaware, Connecticut, Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, District of Columbia, Kansas, and Missouri. NOTE: The purpose of this republication is to reflect the hearing information.

**HEARING:** January 18, 1966, at the Baker Hotel, Dallas, Tex., before Examiner David Waters.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12822; Filed, Nov. 30, 1965;  
8:46 a.m.]

[Notice 1266]

## MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 26, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67898. By order of November 23, 1965, Transfer Board approved the transfer to Ennid June Lund and Jerry Louis Lund, a partnership, doing business as Lund Truck Line, Las Vegas, Nev., of Certificate No. MC-40690 issued October 9, 1959, to Louis P. Lund, doing business as Louis R. Lund Truck Line, Las Vegas, Nev., authorizing the transportation of general commodities, excluding livestock and commodities in bulk, over regular route, between St. George, Utah, and Moapa, Nev., serving all intermediate points. Elwin C. Leavitt, Main Floor, Law Building, 229 Las Vegas Boulevard South, Las Vegas, Nev., 89101, attorney for applicants.

No. MC-FC-68275. By order of November 23, 1965, Transfer Board approved the transfer to Meade Transport, Inc., Owensboro, Ky., of the operating rights in Certificates Nos. MC-923 and MC-923 (Sub-No. 7) and Certificate of Registration No. MC-923 (Sub-No. 6), issued April 10, 1962, September 28, 1964, and August 27, 1964, respectively, to Meade Transfer, Inc., Brandenburg, Ky., authorizing the transportation, over regular routes, of general commodities, with the usual exceptions, and unrestricted between points in Kentucky. Robert M. Pearce, 1033 State Street, Bowling Green, Ky., attorney for applicants.

No. MC-FC-68276. By order entered November 23, 1965, Transfer Board approved the transfer to M. W. Dalton, Robert D. Dalton, and Maurice Wayne Dalton, a partnership, doing business as M. W. Dalton & Sons, 709 E Street, Hamburg, Iowa, the operating rights in Certificate No. MC-26174 issued March 13, 1952, to M. W. Dalton, 709 E Street, Hamburg, Iowa, authorizing the transportation, over irregular routes, of:

General commodities, with the usual exceptions, and certain specified commodities, between points in Iowa and Nebraska.

No. MC-FC-68285. By order of November 23, 1965, Transfer Board approved the transfer to Jack Hunter, doing business as J. Hunter Express, Hawthorne, N.J., of Certificate in No. MC-126208, issued November 9, 1965, to Albert Garbarino, doing business as A. R. A. Trucking Co., Long Island City, N.Y., authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, between points in Hudson and Essex Counties, N.J., on the one hand, and, on the other, New York, N.Y. Bert Collins, 140 Cedar Street, New York, N.Y., representative for transferee, and Robert B. Pepper, 297 Academy Street, Jersey City, N.J., representative for transferor.

No. MC-FC-68301. By order of November 23, 1965, Transfer Board approved the transfer to Amos Larry Quinn, doing business as Larry Quinn, Louisville, Miss., of the operating rights issued by the Commission May 24, 1961, under Permit No. MC-111677 (Sub-No. 3), to Bellipanni Brothers, Inc., Indianola, Miss., authorizing the transportation, over irregular routes, of brick and structural tile, from Macon, Miss., and points within 10 miles thereof, to points in Alabama, Arkansas, Florida, Georgia, Louisiana, and Tennessee, limited to service to be performed under a continuing contract with Delta Brick & Tile Co., Inc., of Indianola, Miss. Harold D. Miller, Jr., 700 Petroleum Building, Jackson, Miss., attorney for applicants.

No. MC-FC-68303. By order of November 23, 1965, Transfer Board approved the transfer to Nelson's Trucking Inc., Milford, Mass., of Certificate of Registration in No. MC-97621 (Sub-No. 1), issued July 2, 1964, to Baldo Di Leonardo, doing business as Nelson's Express, Wrentham, Mass., authorizing the transportation of: Property and general commodities between points in Massachusetts. Gerard J. Donovan, 37 Leighton Road, Hyde Park, Mass., 02136, representative for applicants.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12823; Filed, Nov. 30, 1965;  
8:46 a.m.]

## NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

NOVEMBER 26, 1965.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which pro-

vides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State docket number assigned 3488, filed November 5, 1965. Applicant: HUBERT R. GABEHART, doing business as CENTRAL BUS LINES, 509 East Main Street, Campbellsville, Ky. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky., 40601. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *Passengers*, between Liberty, Ky., and Campbellsville, Ky., serving all intermediate points, from Liberty over Kentucky Highway 70 to Campbellsville, and return over the same route.

**HEARING:** January 5, 1966, at 10 a.m., e.s.t., at the courthouse at Campbellsville, Ky. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Kentucky Department of Motor Transportation, State Office Building, Frankfort, Ky., 40601, and should not be directed to the Interstate Commerce Commission.

State docket number assigned C-3793, case No. 3, filed September 9, 1965. Applicant: HERBERT A. STEELE and DONALD H. STEELE, doing business as MOHNS DELIVERY CO., 216 Thompson Street, Saginaw, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *Glassware*, for Anchor Hocking Glass Co., from Saginaw, Mich., to points in Michigan on and north of Michigan Highway 21, and damaged and rejected shipments, on return.

**HEARING:** December 16, 1965, at 9:30 a.m. at the offices of the Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich., and should not be directed to the Interstate Commerce Commission.

State docket number assigned T-6728 (Sub-No. 2), filed November 10, 1965. Applicant: C. M. McNEELY and PEARLIE McNEELY, doing business as HUMANSVILLE TRUCK LINE, Humansville, Mo. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: (1) *General commodities*, over regular routes, (a) from Humansville, Mo., over Missouri Highway 123 to Weaubleau, Mo., and return; (b) from Collins, Mo., over U.S. Highway 54 to Preston, Mo., and return; (c) from the

junction U.S. Highway 54 and Missouri Highway 83, thence over Missouri Highway 83 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction Missouri Highway 7, thence over Missouri Highway 7 to Warsaw, Mo., and return; (d) from Warsaw, Mo., over U.S. Highway 65 to Springfield, Mo., and return; (e) from the junction U.S. Highway 65 and Missouri Highway 7, thence over Missouri Highway 7 to Climax Springs, Mo., and return; (f) from Bolivar, Mo., over Missouri Highway 32 to Buffalo, Mo., and return; (g) from Bolivar, Mo., over Missouri Highway 83 to Wheatland, Mo., and return; and (h) from Louisburg, Mo., over Missouri Highway 64 to Pittsburg, Mo., thence over Missouri Highway 64 to junction County Route D in Hickory County, thence over County Route D to Preston, Mo., and return. Serving said junctions for purposes of joinder and serving Weaubleau, Quincy, Bentonville, Fairfield, Warsaw, Edwards, Climax Springs, Fristoe, Cross Timbers, Preston, Hermitage, Wheatland, Elkton, Rondo, Sentinel, Pittsburg, Pomme De Terre State Park, Kaysinger Dam, Nemo, Louisburg, Urbana, Buffalo, Foote, Red Top, Fair Grove, and Halfway and all intermediate points over said routes, as regular route points; and between said points, on the one hand, and all points applicant is presently authorized to serve, on the other hand, and (2) *general commodities*, over irregular routes, between Humansville, Mo., on the one hand, and all points in the counties of Hickory, Benton, Cedar, Dallas, and Polk, Mo., irrespective of whether said points are located on the route or routes of regular route common carriers.

**HEARING:** January 11, 1966, at 10 a.m., c.s.t., at the Missouri Public Service Commission, 100 East Capitol Avenue, Jefferson City, Mo. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Missouri Public Service Commission, 100 East Capitol Avenue, Jefferson City, Mo., and should not be directed to the Interstate Commerce Commission.

State docket number assigned 8264-CCT, filed October 29, 1965. Applicant: MIAMI TRANSFER CO., INC., 1090 Northwest North River Drive, Miami, Fla. Applicant's representative: Dan R. Schwartz and Edward P. Swan, 219 Biscayne Building, Miami, Fla. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *Building and construction materials and supplies*, such transportation to be in straight or mixed shipments in truck-load lots only, on flatbed equipment, between all points in Florida including job sites. This application excludes any commodities requiring specialized equipment or handling and excludes any commodities in bulk by tank or hopper type trailer. This application also excludes points in Florida west of the east boundary line of Jefferson County, Fla.

**HEARING:** Date, time, and place of hearing, to be hereafter fixed. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla., 32304, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12824, Filed, Nov. 30, 1965;  
8:46 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 26, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

##### LONG-AND-SHORT HAUL

FSA No. 40151—*Joint motor-rail rates—Middlewest Motor Freight*. Filed by Middlewest Motor Freight Bureau, agent (No. 362), for interested carriers.

Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Illinois and Indiana, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motor truck competition.

Tariff—Supplement 57 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40152—*Methanol to Calvert, Ky.* Filed by O. W. South, Jr., agent (No. A4799), for interested rail carriers. Rates on methanol, in tank-car loads, from points in Charleston, W. Va., area, to Calvert, Ky.

Grounds for relief—Market competition.

Tariff—Supplement 31 to Southern Freight Association, agent, tariff ICC S-470.

FSA No. 40153—*Liquid caustic soda to Augusta, Ga.* Filed by O. W. South, Jr., agent (No. A4800), for and on behalf of Southern Railway Co. Rates on liquid caustic soda, in tank-car loads, subject to minimum of 4 tank-car loads per shipment, from Evans City, Ala., to Augusta, Ga.

Grounds for relief—Rate relationship.

Tariff—Supplement 219 to Southern Freight Association, agent, tariff ICC S-194.

FSA No. 40154—*Bituminous coal to Terrell, N.C.* Filed by O. W. South, Jr., agent (No. A4797), for interested rail carriers. Rates on bituminous fine coal, in carloads, subject to annual volume tonnage minimum weights, from mine origins in Alabama, Kentucky, Tennessee, Virginia, and West Virginia, to Terrell, N.C.

Grounds for relief—Carrier competition.

Tariff—Supplement 8 to Southern Freight Association, agent, tariff ICC S-451.

By the Commission.

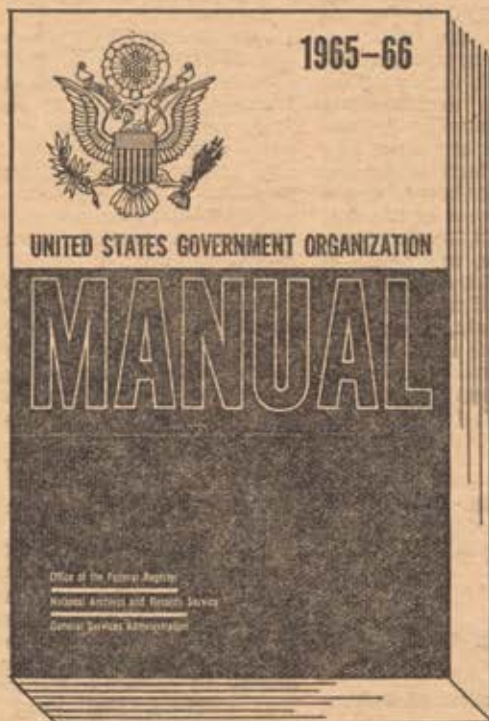
[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-12825, Filed, Nov. 30, 1965;  
8:46 a.m.]

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